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Revised Zoning Regulations for Alachua County, Florida

DeWitt McGee & Associates Planning and Development Consultants

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ZONING REGULATIONS

including

1. Alachua County Zoning Law
2. Alachua County Plat Law

for

**ALACHUA COUNTY
FLORIDA**

**George W. Simons
Planning Collection**

REVISED
ZONING REGULATIONS
FOR
ALACHUA COUNTY,
FLORIDA

Adopted: December 8, 1964

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DeWITT McGEE & ASSOCIATES
planning and development consultants
Jacksonville, Florida

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ZONING RESOLUTION

ALACHUA COUNTY, FLORIDA

WHEREAS, By Act of the Legislature of the State of Florida as provided in Chapter 24371, Special Acts of 1947, as amended by Chapter 28872, Special Acts of 1953, otherwise referred to as the Alachua County Zoning Law, being an Act Empowering the Board of County Commissioners of Alachua County to Regulate and Restrict Within Territory in Said County Not Included in any Municipality, the Height, Number of Stories and size of Buildings and Other Structures on Land and Water, the Percentage of Lot that May be Occupied, the Size of Yards, Courts and Other Open Spaces, the Density of the Population, the Use of Land for Junk Yards and Automobile Trailer Camps, Location and Use of Building Structures and Land for Trade, Industry, Residence or Other Specific Uses of the Premises, and to Establish Setback Building Lines; Providing for the Division of Such County Into Districts and Within Such Districts to Regulate and Restrict the Erection and Construction, Alteration, Repair or Use of Buildings; Providing for a Method of Procedure; Providing for the Appointment of a Zoning Commission and a Board of Adjustment; Providing for Remedies and Penalties for the Violation of this Act or Any Order or Resolution Made Under Authority Conferred Hereby and Conferring Upon the Board of County Commissioners of Alachua County the Power to Prescribe and Enforce Regulations to Effectuate the Purpose of this Act; and

WHEREAS, the Alachua County Board of County Commissioners has had prepared certain studies including Population, The Economy, Present Land Use and Transportation, upon which a Land Use Plan has been based and prepared, such Land Use Plan and supporting studies establishing a Comprehensive Plan for the basis of the establishment of several Zoning Districts and regulations applicable thereto as contained in this Resolution; and

WHEREAS, the Alachua County Board of County Commissioners has prepared these comprehensive Zoning Regulations in accordance with a Comprehensive Plan, and public hearings have been held as required by law;

NOW, THEREFORE, be it resolved by the Alachua County Board of County Commissioners that the following Regulations be adopted as the Zoning Regulations of Alachua County, Florida, together with accompanying Zoning Map or Maps as officially designated by the Alachua County Board of County Commissioners to be adopted herewith as part of this Resolution and to be known as the Zoning Map of Alachua County, Florida, said Zoning Regulations and Zoning Map being applicable to those areas zoned by the Alachua County Board of County Commissioners.

ARTICLE I

SHORT TITLE

This Resolution shall be known as the "Zoning Regulations for Alachua County, Florida". The Map herein referred to is identified by the title, "Zoning Map of Alachua County, Florida", and all explanatory matter thereon is hereby adopted and made a part of this Resolution.

ARTICLE II

PURPOSE

These Regulations are made in accordance with a Comprehensive Plan and designed to lessen congestion in the highways; to secure safety from fire, panic and other dangers; to promote health and general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. Such regulations are made with a reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land and water throughout Alachua County, Florida.

ARTICLE III

DEFINITION OF WORDS

For the purpose of the administration and enforcement of this Resolution, and unless otherwise stated in this Resolution, the following words shall have a meaning as indicated herein.

Words used in the present tense shall include the future tense; words used in the singular number shall include the plural number, and words used in the plural number shall include the singular number; the word "shall" is mandatory, not directory.

ACCOMMODATIONS. Any hotel, motel, tourist court, rooming house or rental unit intended to be used for transient persons or tourists for overnight lodging or longer. Any business containing one (1) or more rental units for transients or tourists shall be deemed an accommodation facility.

NON-ACCOMMODATIONS shall be any activity other than one which may be classified as an accommodations activity.

ADVERTISING SIGNS. A surface or support upon which advertising matter is set in public view, and including every sign, billboard, ground sign, wall sign, roof sign, illuminated sign, projected sign, marquee sign, awning sign, street clocks or thermometers, and shall include any announcement, declaration, demonstration, display, illustration, or insignia used to advertise or promote the interest of any person, when such sign is placed out of doors.

ALACHUA COUNTY ZONING LAW. The Alachua County Zoning Law shall mean and include Chapter 24371, Special Acts of the State of Florida of 1947, as amended by Chapter 28872, Special Acts of the State of Florida of 1953.

ALLEY. Any public or private right-of-way set aside for public travel less than thirty (30) feet in width.

ALTERATION. Any change in the arrangement of a building; any work affecting the structural parts of a building or any change in the wiring, plumbing, heating or cooling systems; and includes the words "to alter" and "alter".

APARTMENT. A building use or intended to be used for living purposes having two (2) or more living units.

AUTOMOTIVE SALES AND SERVICES. The sale or storage of new and used automobiles, service stations, paint and body repair shops, automotive repair garages, and including the sales and servicing of any automotive component.

BOARD OF ADJUSTMENT. The Board of Adjustment shall mean the Board of Adjustment as provided for in this Resolution being the same as provided for in Section 7 of the Alachua County Zoning Law, attached hereto and made a part thereof by reference.

BUILDING. Any structure constructed or used for residence, business, industry, or other public or private purposes or accessory thereto and including tents, lunch wagons, dining cars, trailers, mobile homes, sheds, garages, carports, animal kennels, storerooms, billboards, signs, gasoline pumps and similar structures, whether stationary or movable.

PRINCIPAL BUILDING. A building in which is conducted the principal use of the lot on which it is situated. In a residence district any dwelling shall be deemed to be the principal building on the lot which the same is situated. An attached carport, shed, garage or any other structure with one (1) or more walls or a part of one (1) wall being a part of the principal building and structurally dependant, totally or in part, on the principal building, shall comprise a part of the principal building and be subject to all regulations applicable to the principal building. A detached and structurally independant garage, carport, or other structure conforming as an accessory building may be attached to the principal building by an open breezeway not to exceed six (6) feet in width. A connecting breezeway in excess of six (6) feet in width and/or enclosed on one or both sides, including louvers, lattice or screening, shall cause the entire structure to be construed as the principal building and shall be subject to the regulations applicable to the principal building.

ACCESSORY BUILDING. A subordinate building, the use of which is incidental to that of the principal building on the same lot.

BUILDING AREA. That area within and bounded by the building lines established by required yards and setbacks.

BUILDING HEIGHT. The height of a building with a gabled or hip roof shall be the vertical distance measured from the average elevation of the finished building site to the top of the roof of the uppermost story. The height of a building with a flat or nearly flat roof shall be measured from the footing as stated above to the highest point of the roof (but not the parapet or coping shall be used). A flat roof shall be considered a roof that has a slope of less than seven (7) degrees with the horizontal.

BUILDING REQUIREMENTS. Lot and building requirements, as contained in the Lot and Building Regulations set forth in this Resolution do not imply reference to the building requirements as set forth in any Building Code for Alachua County, Florida, now in effect or which may hereafter be adopted.

BUSINESS SERVICES. Any commercial activity primarily conducted in an office, not involving the sale of goods or commodities available in that office, and not dispensing personal services, but including such businesses as insurance agencies, title and abstract companies, stock brokers, counselors, consultants, accountants, collection agencies, income tax services, travel agencies, advertising agencies, laboratories, studios of art, music, dancing and photography, business or stenographic schools and any similar office type use.

CHURCH. Any building used for non-profit purposes by any duly constituted and legally established sect primarily intended to be used as a place of worship and including customary accessory uses.

CLUB, PRIVATE. An association of persons for some common purpose, but not including groups organized primarily to render a service which is customarily carried on as a business. This definition shall include the term "lodge" and shall apply to all social organizations not operated for profit other than for their own purposes.

COCKTAIL LOUNGE. The term "cocktail lounge" shall include the terms "bar", "tavern", and similar uses in which alcoholic beverages are sold for consumption on the premises and in which no dancing is permitted.

COMPOUND USES. Compound uses consist of more than one (1) major use on a single parcel of land.

COUNTY. The term "county" shall refer to Alachua County, a legally constituted subdivision of the State of Florida.

COUNTY ENGINEER. The term "County Engineer" shall mean the person duly appointed as County Engineer by the Board of County Commissioners of Alachua County, Florida.

COUNTY COMMISSION. The term "County Commission" shall mean the Board of County Commissioners, of Alachua County.

COVERAGE. That percentage of the plot area covered or occupied by buildings or roofed portions of structures.

DAY NURSERY. A day nursery is defined as a residence or building in which one (1) or more children under seventeen years of age are received, for full time or part time care, or training, and for whom board may or may not be provided, and that for such care or custody, remuneration shall be paid by the parents or legal guardians of the children, and shall include the terms "kindergarten", "nursery schools", and "schools for child care". A day nursery shall be subject to the provisions of this Resolution regulating private schools.

DWELLING. A house, apartment, or building, including dormitories, fraternities and sororities, used primarily for human habitation. The word "dwelling" shall not include hotels, motels, tourist courts, or other buildings for transients.

SINGLE FAMILY DWELLING.	A building containing only a single living unit.
TWO FAMILY DWELLING.	A building in which two (2) living units exist.
THREE FAMILY DWELLING.	A building in which three (3) living units exist.
MULTIPLE FAMILY DWELLING.	A building in which four (4) or more living units exist. Multiple family units shall be the same as Apartments as defined in this Article.

EAVES. The extension or overhang of a roof, measured from the outer face of the supporting wall or column to the farthest point of the overhanging structure.

FAMILY. One (1) or more persons occupying a living unit as a single non-profit housekeeping unit.

FRONTAGE. The distance or width of a parcel of land abutting a public right-of-way, and as measured upon such right-of-way.

GARAGE. A building or structure designed to be used for the storage and/or repair of automotive vehicles.

PRIVATE GARAGE. A building for the private use of the owner or occupant of a principal building situated on the same lot of the principal building for the storage of motor vehicles with no facilities for mechanical service or repair of a commercial or public nature.

COMMUNITY GARAGE. A structure, or series of structures under one (1) roof, and under one (1) ownership, for the storage of vehicles by three (3) or more owners or occupants of property in the vicinity, where said structure has no public shop or mechanical services in connection therewith.

PUBLIC GARAGE. A building designed and used for the storage of automotive vehicles operated as a business enterprise with a service charge or fee being paid to the owner or operator for the parking or storing of privately owned vehicles.

REPAIR GARAGE. A building designed and used for the storage, care, repair, or refinishing of motor vehicles including both minor and major mechanical overhauling, paint and body work.

GROUP HOUSING. Two (2) or more dwellings constituted as separate buildings on a single lot or parcel of land having common yards, open spaces, and other facilities.

HOME OCCUPATION. Any vocation, trade, or profession carried on within a dwelling by the occupant thereof.

HOTEL. A building designed to provide accommodations for transients or persons for short time residence, with or without meals, providing for ten (10) or more sleeping rooms with no provisions for cooking in such rooms, and including customary accessory uses in connection with the principal use.

INDUSTRY. Any activity involving the manufacturing or treatment of any commodity including the assembly, packaging, canning, bottling, or processing of any item. To change any commodity in composition, form, size, shape, texture, or appearance is deemed to be an industrial process.

JUNK. The term "junk" shall include junk yards, and shall be identified by automotive vehicles including trucks and tractors being inoperative and unlicensed, and including any parts thereof, used building material or equipment of any kind, being abandoned or unuseable, and shall include all miscellaneous items of any type material or substance which appears to be in a state of scrap or waste material.

LIVING AREA. That area of a dwelling unit, enclosed, which is protected from the elements and heated, including interior halls, closets, utility and storage areas, but excluding garages, carports, screened porches, unenclosed and unheated areas.

LIVING UNIT. A room or rooms comprising the essential elements of a single house-keeping unit. Facilities for the preparation, storage, and keeping of food for consumption within the premises shall cause a unit to be construed as a living unit. Bath facilities may not be private for the living unit, but shall be conveniently accessible to the living unit. Reference to the word "unit" means living unit as herein defined.

LOT. A piece, parcel, tract or plot of land occupied or to be occupied by one (1) principal building and its accessory buildings and including the required yards and shall include all lots of record included in such piece, parcel, tract, or plot of land, and all lots otherwise designated.

LOT OF RECORD. A lot whose existence, location and dimensions have been legally recorded or registered in a deed or on a plat, either prior to the effective date of this Resolution, or after the effective date of this Resolution.

LOT, SUBSTANDARD. Any lot of less than five thousand (5,000) square feet in area or less than fifty (50) feet in width at the front building line, in all districts except business districts.

LOT, CORNER. Any lot situated at the intersection of two (2) streets and abutting such streets on two (2) adjacent sides.

LOT, INTERIOR. Any lot bounded on both sides by other lots.

LOT LINE. The property line, abutting the right-of-way line, or any line defining the exact location and boundary of the lot or property.

MARQUEES AND CANOPIES. Any shelter, cover, or protection, extending beyond the outer face of the building wall, of either a rigid or non-rigid construction, designed and intended to be used for the purpose of shelter or protection for entrances and walkways.

MOBILE HOMES. A movable living unit or similar portable structure designed for living purposes having no foundation other than wheels, jacks, or blocks, and includes the terms "travel trailers", and "trailer homes", but excludes collapsible camping trailers,

MOBILE HOME PARK. A lot or parcel of land under single ownership or management upon which is operated a business engaged in providing for the parking of mobile homes to be used for both living and storage purposes, and including the customary accessory uses such as owners' and managers' living quarters, rest rooms, laundry facilities, utility areas, and facilities for parks and recreation.

MOTEL. The term "motel" shall include the term "motor hotel", "tourist court", "motor lodge", and "transient accommodation", primarily for those persons traveling by automotive vehicles and consisting of two or more units or buildings designed to provide sleeping accommodations with no common entrance or lobby.

NIGHT CLUB. A commercial establishment dispensing alcoholic beverages for consumption on the premises, and in which dancing is permitted and includes the term "cabaret" .

NON-CONFORMING BUILDING. Any building which does not conform to the regulations for the district in which it is located.

NON-CONFORMING LOT. Any lot which does not meet the minimum dimensions, area, or other regulations of the district in which the lot is located.

NON-CONFORMING USE OF BUILDING. The use of any building other than a use specifically permitted in the district in which the lot or parcel of land is located.

NURSING HOME. The term "nursing home" shall apply to all institutional type operations designed to provide full or part time supervision and assistance to those persons not able to care for themselves and shall include convalescent homes, homes for the aged, and similar facilities.

PARKING SPACE. An area specifically and permanently designated for the off-street parking or storage of vehicles. Such space for passenger cars shall have a minimum width of eight and one half (8-1/2) feet and a minimum length of eighteen (18) feet. When an area is designated to provide off-street parking facilities, a minimum of three hundred fifty (350) square feet per parking space shall be used for computing the minimum total required parking area including driving lanes, maneuvering areas, and parking spaces. No part of such parking space or spaces shall exist upon any public right-of-way.

PERSON. The word "person" includes any individual, group of persons, corporation, firm, association, organization, and any legal public entity.

PERSONAL SERVICES. Beauty parlor, shop or salon, barber shop, massage, reducing or slenderizing studio, steam or turkish baths, funeral homes, or any similar use.

PREMISES. Any lot, plot, or parcel or tract of land with or without a building or buildings or structure or structures thereon.

PROFESSIONAL SERVICES. The conduct of business in any of the following or related categories; law, architecture, engineering, medicine, dentistry, osteopaths, chiropractors, opticians, or consultants in these or related fields.

PUBLIC BODY. Any government or governmental agency of Alachua County, the State of Florida, the U.S. Government, or any municipality within Alachua County, Florida.

PUBLIC USE. The use of any land, water, or buildings by a municipality, public body or board, commissioner or authority, county, state or the federal government or any agency thereof for a public service or purpose.

RECREATION AND ENTERTAINMENT. Recreation and entertainment uses which includes amusement arcades, pool halls, bowling lanes, skating rinks, miniature golf, carnival type concessions and rides, and boating and fishing facilities.

REPAIR. Restoration of portions of a building to its condition as before decay, wear, or damage, but not including alteration of the shape or size of any portion.

RESOLUTION. The term "Resolution" as used in these Regulations means the Zoning Resolution of Alachua County, Florida.

RESTAURANTS. An establishment where meals or prepared foods, including beverages and confections are served to customers. Restaurants are hereby classified and further defined into three (3) categories:

1. Type "A" Restaurants, conventional; consisting of eighty (80) seats or more at tables or booths, with the number of counter stools not exceeding fifteen (15) percent of the number of table and/or booth seats; with all service indoors; and providing no service to persons in vehicles, or at walk-up windows.
2. Type "B" Restaurants, short-order; specializing in short-order foods and beverages including the preparation of food to be taken out and consumed off the premises; may be a total counter-stool type operation, or with any combination of counter stool and/or tables or booths; and no service provided to persons in vehicles. Establishments dispensing food from service windows for consumption either on the premises or off of the premises are classified as Type "B". This type restaurant may also include conventional Type "A" restaurant services; however, a restaurant providing any of the short-order services as defined in this paragraph shall be classified as a Type "B" restaurant.

3. Type "C" Restaurants, drive-ins; any restaurant serving food and/or beverages to persons in their automobiles for consumption in the automobile on the premises. This type restaurant may also include service features of both Types "A" and "B" restaurants as herein defined; however, the service of persons in automobiles and consumption of food and beverages in automobiles on the premises shall cause any such restaurant to be classified as Type "C".

RETAIL SALES AND SERVICES. Retail sales and services shall include those business activities customarily providing retail convenience goods. Such uses shall include department stores, variety stores, drug and sundry stores, delicatessens, cafeterias, grocery and markets, gift shops, wearing apparel, home and auto supply, furniture and appliances, hardware, package stores, news stands, book and stationery stores, shoe repair shops, luggage shops, bakeries and candy shops (provided that all products made on the premises are sold on the premises), camera and photo supply shops, radio and television sales and service, floor coverings, sporting goods, florists, jewelers, music and piano sales and services, art shops, pawn shops, electrical and lighting and similar uses.

RIGHT-OF-WAY LINE. The right-of-way line shall be considered as the property line and all setback requirements provided in this Resolution shall be measured from said right-of-way line, or except as may otherwise be provided.

ROAD. Any public or private right-of-way set aside for public travel thirty (30) feet or more in width. The word "road" shall also include the word "street", "avenue", "lane", "boulevard", "thoroughfare", and "highway" for such purpose.

ROAD CENTERLINE. The line midway between the road right-of-way lines, or the surveyed and platted centerline of a road which may or may not be the line midway between the existing right-of-way lines.

ROAD RIGHT-OF-WAY. The lines which bound the rights-of-way set aside for use as a road.

ROOMING HOUSE. A residential building used, or intended for use, as a place where sleeping or housekeeping accommodations are furnished or provided for pay to transient or permanent guests or tenants in which less than ten (10) or more than three (3) rooms are used for the accommodation of such guests or tenants, but which does not maintain a public dining room or cafe in the same building, nor in any building in connection therewith.

SEMI-PUBLIC BODY. Includes churches and organizations operating as a non-profit activity serving a public purpose or service and includes such organizations as non-commercial clubs and lodges, theater groups, recreational and neighborhood associations, and cultural activities.

SERVICE STATION. Any business engaged primarily in the servicing of automotive vehicles, including the sale and delivery of fuels, lubricants, and other products necessary to the operation of automotive vehicles including the sale and installation of accessories, tires, batteries, seat covers, tire repair, cleaning facilities, minor engine tune-up and wheel balancing and aligning, brake service, but not including mechanical or body repair facilities, the sale or repair of vehicles or trailers.

SETBACK. The minimum horizontal distance between the street, rear or side lines and front, rear, or side lines of the building, including steps or terraces or any projection thereof. When two (2) or more lots under one (1) ownership are used, the exterior property lines so grouped shall be used in determining setbacks.

SUBDIVISION. A division of a lot, tract or parcel of land or water into two (2) or more lots, plots, sites, or other subdivisions of land or water for the purpose, whether immediate or future of sale, rent, lease, building development, anchorage, or other uses, and which further includes the term "subdivide", meaning to divide land by conveyance or improvement into lots, blocks, parcels, tracts or other portions.

TRAILER. Any portable or movable structure or non-self-propelled vehicle not used for living purposes, but used for moving or hauling freight, equipment, or merchandise, and including collapsible camping trailers and boat trailers.

UNINCORPORATED AREA. Any land in Alachua County not lying within the boundaries of a duly incorporated village, town, municipality or other governmental unit.

USE. Any activity, function, or purpose to which a parcel or land or building is put, and shall include the words "used", "arranged", or "occupied", for any purpose including all residential, commercial, business, industrial, public or any other use.

PRINCIPAL USE. The main use establishing the reason and basis for a building or structure and comprising the general activity for which such building and/or property is used.

ACCESSORY USE. Accessory uses are those activities established as secondary, in support of, and dependant upon the principal use.

WATERFRONT. Any site shall be considered as waterfront property provided that any portion of such property physically abuts any body of water, natural or artificial, but excluding swimming pools, and drainage facilities which do not permit any type of sport or recreational pursuit.

YARD. The open space existing on the same lot with a principal building, unoccupied and unobstructed by buildings from the ground to the sky, between the lot line and building line.

FRONT YARD. The yard extending across the entire width of the lot between the front lot line and the front building line. The lot line of a lot abutting a public street shall be deemed the front lot line. The front yard of a corner lot shall be deemed the front lot line. The front yard of a lot existing between two (2) streets not intersecting at a corner of the lot, shall be that yard abutting the street on which adjoining properties face, unless otherwise determined on a recorded plat or in a recorded deed.

REAR YARD. The yard extending across the entire width of the lot between the rear lot line and the rear building line. The rear lot line shall be the lot line farthest removed from the front lot line.

SIDE YARD. The yard extending from the front building line to the rear building line between the side lot line and the side building line.

ZONING COMMISSION. The term "Zoning Commission" shall refer to the Zoning Commission of Alachua County, as provided under Section 6 of the Alachua County Zoning Law.

ZONING DISTRICT. Any unincorporated area of Alachua County, Florida, designated by the Alachua County Board of County Commissioners as an area subject to zoning, and identified on the Zoning Map of Alachua County, Florida, assigned a zoning classification as indicated on said Map, consisting of any one (1) of the several zoning districts as set forth and established in this Resolution. Reference to the word "district" or "zone" shall mean Zoning District.

ZONING MAP. The term "Zoning Map" or "Maps" shall mean the official Zoning Map of Alachua County, Florida.

ZONING REGULATIONS. Zoning Regulations shall mean the Zoning Regulations of Alachua County, Florida, including the Zoning Map or Maps and all amendments to such Zoning Resolution and Map.

ARTICLE IV

GENERAL PROVISIONS

Provisions set forth in this Article apply to the total zoned area of Alachua County, Florida, applicable to all zoning districts therein, except as otherwise may be provided in these Regulations.

Section 1. Abandoned Real Property.

- a. For any public street or alley which is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to the centerline of the property which is abandoned. In the event abandoned property is not divided at the centerline for abutting properties, the zoning districts applicable shall apply to such ownership line as determined by virtue of such abandonment.
- b. For any public property other than streets or alleys, the regulations applicable to the zoning classification which abuts the abandoned property for the greatest number of lineal feet shall apply to the entire property.

Section 2. Abandoned Vehicles. Within all zoning districts except BA, BW, MS, and MP districts, all vehicles which are inoperative and/or unlicensed for a period in excess of thirty (30) days shall be prohibited on any public right-of-way or on private property except within a completely enclosed garage.

Section 3. Access Control. In order to promote the safety of motorists and the pedestrian and to minimize traffic congestion and conflict by reducing the magnitude of and the number of points of contact, the following regulations shall apply:

- 3.1 A point of access, that is, a driveway or other opening for vehicles onto a public street, shall not exceed twenty-four (24) feet in width, except as otherwise provided in this Section.
- 3.2 The maximum number of points of access permitted onto any one (1) street shall be as follows:

<u>Lot Width Abutting Street</u>		<u>Number of Points of Access</u>
Less than	65 feet	1
65 feet -	200 feet	2
Over	200 feet	2, plus 1 for each additional 200 feet or fraction thereof

- 3.3 In lieu of any two (2) openings permitted on any one (1) street there may be permitted a single point of access up to thirty five (35) feet in width. However, service stations shall be permitted two (2) openings not to exceed thirty five (35) feet each in width along any abutting public street, provided that such property abuts such street for a distance of not less than one hundred twenty (120) feet.
- 3.4 There shall be a minimum distance of twelve (12) feet between any two (2) openings onto the same street.
- 3.5 No point of access shall be allowed within ten (10) feet of the intersection of the right-of-way lines of any public street.
- 3.6 No curbs shall be cut or altered, and no point of access or opening for vehicles onto a public street shall be established without a permit issued by the County Engineer.

Section 4. Boat Docks. No boat docks shall be constructed within a zoned district of Alachua County without a permit. All applications for a permit to construct a dock over a body of water or stream having two (2) or more property ownerships abutting such body of water or stream, shall be submitted to the Zoning Commission for approval. No covered dock shall be permitted beyond the mean high water mark unless no objections are voiced from property owners abutting such water area within a distance of one thousand (1,000) feet from the proposed dock location. The Zoning Commission may regulate the length, construction, and such other features of boat docks, and shall not approve docks which would create a hazardous condition to the navigation of waterways and to other pursuits of water sports. In no event shall any living unit be constructed over water areas.

Section 5. Churches and Schools. Public schools shall be subject to the regulations in this Resolution, set forth in Article XI, Public Uses.

- 5.1 Private schools, churches, and religious institutions shall be permitted in R-3, RP, RM, BP, BA, BW, MS, and A districts, provided that the following requirements are complied with:
 - a. Off street parking shall be provided as set forth in Section 26 of this Article.
 - b. The principal building and accessory buildings shall comply with the yard and setback requirements of the district in which it is located; and in no case less than the minimum requirements as set forth in the R-3 district.

- 5.2 Private schools, churches and religious institutions may be permitted in other districts, only after recommendations of the Zoning Commission which shall hold a public hearing on such request after giving fifteen (15) days notice of the time and place of such hearing, and final approval by the Board of County Commissioners.

Section 6. Deed Restrictions. These regulations shall not affect any deed restrictions or restrictive covenants recorded with any deed, plat, or other legal document relating to the use, or lot and building requirements. No person or agency, in the capacity of administering and enforcing these regulations, shall be responsible for enforcing any deed restrictions or restrictive covenants.

Section 7. Fences. Except in "A" districts, no fence, wall, or screened structure excluding plants and shrubbery, over six (6) feet in height shall be built within any required yard abutting a public road, except that such fences may be constructed in a rear yard paralleling a public road a distance from the public road as required for the side yard abutting the public road.

Section 8. Group Housing. Group housing developments of two (2) or more single or multiple family dwellings to be constructed on a plot of ground under single ownership of one (1) acre or more, not subdivided into the customary streets and lots, and which shall not be so subdivided, may be developed in any R-2, R-3, or RP districts provided that:

- a. Maximum percent of lot coverage shall not exceed that which is required for the districts in which the project is located.
- b. Height limits, front, side, or rear yard requirements shall be met in accordance with the district in which such group housing is permitted.
- c. In any event under this Section the provisions of the Alachua County Plat Law (Chapter 59 - 1044, Laws of 1959, as amended by Chapter 61 - 1851, Laws of 1961) shall be complied with. The Alachua County Plat Law is attached hereto and made a part hereof by reference.

Section 9. Height Limits in Airport Approach Zones. Maximum height limits for any building or structure, including trees, poles, towers and antennas, within the airport landing approach zones, as shown on the Zoning Map, are determined by an inclined plane having a slope of 50:1, as measured horizontally from the end of the runway, which is located symmetrically with respect to the extended runway centerline, and has the lengths and widths as shown on the said Zoning Map.

Section 10. Home Occupations. Home occupations, including any profession, vocation, business, trade, and personal services, may be conducted in any "A" district and any residential district only after approval of the Zoning Commission which shall hold a public hearing on such request, after giving fifteen (15) days notice of the time and place of such hearing. The Zoning Commission may then deny or grant approval of such home occupation in accordance with such regulations as the Zoning Commission may determine to be in the public interest, and also in accordance with the Zoning Regulations.

- a. The home occupation shall be conducted within the principal building and only by a person resident in the building. Not more than one (1) person shall be employed who is not a resident of the premises.
- b. No more than twenty (20) percent of the total floor area of any dwelling unit may be devoted to such uses.
- c. For the purpose of identification of such use, one (1) non-illuminated wall sign, not exceeding two (2) square feet in area may be permitted. Such signs shall identify only the name of the profession and the name of the occupant of the premises.
- d. No motor power other than electrically operated motors shall be used in conjunction with such home occupation and the total horsepower of such permitted electrical motors shall not exceed three (3) horsepower, or one (1) horsepower for any single motor.
- e. There shall be no alteration in the residential character of the premises in connection with such home occupation.
- f. No merchandise or articles for sale shall be displayed for advertising purposes and no sign or device relative to the sale of such merchandise shall be displayed on the premises.
- g. No articles or materials used in connection with such home occupation shall be stored other than in the principal building so used.
- h. Any home occupation as provided for in this Section may be reviewed by the Zoning Commission at any time after twelve (12) months following the approval of such use, and may revoke the permission to continue such home occupation at any time thereafter.

Section 11. Houseboats. No houseboat shall be permitted to fasten to a dock, anchor to land, or to remain in any of the waterways within the territory subject to these Regulations in excess of seven (7) days without a permit. Application for such permit shall be made to the Zoning Commission. The Zoning Commission is authorized to issue permits for said houseboat use and occupancy, provided said use and occupancy does not conflict with the uses of the immediate area, otherwise a public hearing will be held before permitting such use and occupancy in a given area.

Section 12. Junk Yards. Junk yards as defined in these Regulations shall be permitted only in MP districts. All junk yards shall be screened from view from public right-of-way by a masonry wall with a minimum of six (6) feet in height of solid face construction and two (2) feet ornamental superstructure. The required wall along a public right-of-way shall conform to the front yard requirement of the MP district.

Section 13. Land and Water Fills Dredging Excavation and Mining. No person shall engage in the felling of land or water areas, dredging, the excavation of land or removal of earth, and no mining operation shall be undertaken without approval by the Board of County Commissioners, which shall deny or grant approval only after a public hearing on such request after giving fifteen (15) days notice of the time and place of such hearing. All applications for permits for activities covered by this Section shall be referred to the County Engineer for his recommendation.

Section 14. Land Subject to Flooding. No building shall be moved onto or constructed on land subject to frequent flooding in any zone, nor shall any existing building so located be enlarged, repaired, or altered except by permission of the Board of County Commissioners. If there is any question about the frequency or extent of flooding of any property for which a permit has been requested, the County Engineer shall be consulted for the purpose of obtaining his opinion.

Section 15. Living Units in Zones Other Than Residential. Dwellings shall not be permitted in any business or industrial zone as a principal use. However, living units may be established within the principal building in a business or industrial district as accessory to any business or industrial use, provided that such living units within any BR zone shall not be on the ground floor. In the MS district, living units shall be permitted as an accessory to the permitted use, and single family dwellings shall be permitted on existing lots of record including other uses permitted on the same lot as accessory uses.

Section 16. Minimum Living Area. No single or multiple family living unit shall be constructed with a total living area of less than four hundred and fifty (450) square feet. Provided, however, that a special exception to the minimum living area requirement may be granted for the construction of efficiency type apartments having no separate bedroom, if it is established that the granting of such exception will not adversely affect the interests of the general public or the character of the surrounding neighborhood. Application for any such special exception shall be made to the Zoning Commission which shall hold

a public hearing after giving fifteen (15) days notice of the time and place of such hearing. After the public hearing, the Zoning Commission shall forward its recommendation to the Board of County Commissioners for their action. The Zoning Commission or the Board of County Commissioners may require the submission of plans in connection with such applications, showing the location and type of construction proposed, and may impose such additional requirements as a condition to the granting of the request as it deems reasonable and appropriate.

This Section shall not apply to mobile homes meeting all other requirements of this Resolution.

Section 17. Minimum Setbacks from the Centerline of Roads. No building or structure shall be erected closer than seventy five (75) feet from the centerline of any section line, one half (1/2) section line, and any route designated and officially adopted for a major road as shown on the Major Road Plan for the zoning districts of Alachua County, Florida.

Section 18. Mobile Homes. Mobile homes shall be permitted to be used for living purposes in "A" zoning districts on the basis of one (1) trailer on each five (5) acre parcel of land or more. Mobile homes shall not be permitted for use for living purposes in any other district unless otherwise provided for herein, except in a Mobile Home Park licensed and approved by the State Board of Health and meeting all other county and state regulations applicable to Mobile Home Parks and R-1c districts. Mobile homes for living purposes may be permitted in any other district on a temporary basis under a special permit, by application, in accordance with Article XII, Section 6, of these Regulations. Unoccupied mobile homes shall be permitted in districts permitting the sale and rental of mobile homes, or may be parked and stored in a Mobile Home Park. Mobile homes not used for living purposes may be stored in any other district provided they are contained within a completely enclosed garage.

Section 19. Moving of Buildings. Whenever a building is moved from any location to a site within the zoned area of Alachua County, the building shall immediately be made to conform to all provisions of the County Building, Plumbing and Electrical Codes, if any, and the Zoning Regulations of Alachua County. The person causing the building to be moved shall secure a Building Permit from the Board of County Commissioners.

Section 20. Non-Conforming Buildings or Structures. Non-conforming buildings or structures shall be made to comply with these Regulations only after destruction exceeding two thirds (2/3) of the fair market value as determined by the County Tax Assessor of Alachua County, Florida, immediately prior to the time of destruction. An existing non-conforming building or structure may be maintained and repaired, but shall not be structurally added onto or altered to further the non-conformance, however, an existing non-conforming building or structure may be added onto or altered provided that such additions or alterations and use are in compliance with these Regulations.

Section 21. Non-Conforming Lot.

- 21.1 Remedies. Where two (2) or more non-conforming lots with continuous frontage are under the same ownership, or where a non-conforming lot has a continuous frontage with a larger tract under the same ownership, such lot or lots shall be combined to form one (1) or more building sites meeting the lot requirements of the district in which they are located.
- 21.2 Dwellings on Non-Conforming Lots. A Building Permit may be issued for a single family dwelling on any non-conforming lot, excluding substandard lots, provided that the remedies set forth in this Section cannot be complied with, that such use is permitted, and that the regulations of the district in which the lot is located are met.
- 21.3 Dwellings On Substandard Lots. The Board of County Commissioners may authorize the issuance of a Building Permit for a single family dwelling for a substandard lot, only after it has been determined that remedies as set forth in this Section cannot be complied with. The Board may also grant such variances on lot and building requirements in cases of hardship, so as not to create any condition detrimental to the public health, safety, and welfare.

Section 22. Non-Conforming Use of Buildings and Structures.

- 22.1 The use of any building or structure not in conformance with these Regulations pertaining to uses permitted on the effective date of this Resolution may not be:
- a. Changed to another non-conforming use except where it is determined by the Board of County Commissioners that the design, construction and character of the building is unsuitable for uses permitted in the district in which such non-conforming use is situated. The Board of County Commissioners shall hold a public hearing on each case in question after giving fifteen (15) days notice of the time and place of such hearing, in order to determine the question of suitability for uses permitted in the district in which such building is located.

- b. Re-established after discontinuance for nine (9) months except where it is determined by the Board of County Commissioners that the design, construction and character of the building is unsuitable for uses permitted in the district in which such non-conforming use is situated. The Board of County Commissioners shall hold a public hearing on each case in question after giving fifteen (15) days notice of the time and place of such hearing, in order to determine the question of suitability for uses permitted in the district in which such building is located.
- c. Extended, enlarged, or expanded.
- d. Rebuilt, or repaired after damage exceeding two thirds (2/3) of fair market value as determined by the County Tax Assessor of Alachua County, Florida.

22.2 The use of all buildings and structures, except residential uses, shall be made to conform on the basis of the fair market value as fixed by the County Tax Assessor of Alachua County, Florida, at the time of the effective date of this Resolution as follows:

<u>Market Value</u>	<u>Years</u>
0 - \$ 2,000	5 years
2,001 - 5,000	10 years
5,001 - 10,000	20 years
10,001 - 25,000	30 years
25,501 - 50,000	40 years
50,001 - and above	50 years

Section 23. Non-Conforming Use of Land. All non-conforming use of land without principal buildings, including open storage, building supplies, vehicle, implement and machinery storage, either on the same lot or on another lot with a plant, factory, or sales facility, signs, billboards, junk yards, and commercial animal yards, and similar uses shall comply with these Regulations pertaining to uses permitted within three (3) years from the effective date of this Resolution.

Section 24. Nursing Homes. Nursing homes shall include convalescent homes, homes for the aged and such other activities designed to take care of the aged or persons unable to care for themselves without supervision or assistance. Nursing homes shall be permitted in any R-3, RP or HM districts. Such uses shall comply with all regulations applicable to the district in which the use is located. Such uses shall comply with the off-street parking requirements set forth in this Article. In addition, such uses shall meet the minimum requirements as set forth by State or Federal agencies regulating such activities, and shall, upon application for either Building Permit or Occupancy Certificate, submit certificates indicating approval by such State or Federal agencies.

Section 25. Obstruction to Vision at Road Intersections. In order to minimize accidents caused by obstruction to vision at Road Intersections, the following Regulations shall apply in all "R" districts:

- 25.1 Within the area formed by the rights-of-way lines of intersecting roads, and a straight line connecting points on such rights-of-way lines at a distance of twenty five (25) feet from their points of intersection, such connecting line extending beyond the points to the curb lines, there shall be a clear space with no obstruction to vision between the height of three (3) feet and a height of eight (8) feet above the average grade of each road as measured at the center line thereof.
- 25.2 The requirements of this Section shall not be deemed to prohibit any necessary retaining wall.
- 25.3 Trees shall be permitted in the clear space provided that foliage is cut away within the prescribed heights.

Section 26. Off-Street Parking and Loading Facilities. In all districts off-street parking shall be provided as follows:

- a. Single family dwellings, two (2) spaces for each dwelling unit.
- b. Multiple family dwellings, apartments, one (1) space for each unit.
- c. Churches, temples, or places of worship, funeral homes, schools, public buildings, theaters, auditoriums, areas and places of assembly, private clubs and lodges, one (1) space for each five (5) seats of maximum seating capacity in the principal area of assembly.

- d. One (1) space for each one hundred fifty (150) square feet of retail sales or actual retail use for business, professional or personal services.
- e. Country clubs, golf clubs, gun clubs, tennis clubs, and organizations designed to provide outdoor sporting or recreational activities, one (1) space for each five (5) members.
- f. Hotels, one (1) space for each three (3) bedrooms, plus one (1) additional space for each five employees.
- g. Hospitals and sanitariums, one (1) space for each patient bed.
- h. Nursing homes, one (1) space for each two (2) patient beds.
- i. Motels, one (1) space for each guest room or one (1) space for each bathroom, whichever is greatest, plus one (1) space for each three employees.
- j. Restaurants or other eating places (non-drive-ins), one (1) space for each four (4) seats, plus one (1) space for each three employees.
- k. Rooming houses, boarding houses, dormitories, fraternities and sororities, one (1) space for each two (2) beds.
- l. Wholesale and warehouse concerns, one (1) space for each three (3) employees, plus one (1) space for each company vehicle operating from the premises, plus one (1) space for each one hundred fifty (150) square feet devoted to wholesale or retail sales or services.
- m. Manufacturing, industrial concerns not catering to the retail trade, one (1) space for each three (3) employees on the largest working shift, plus one (1) space for each company vehicle operating from the premises.
- n. Manufacturing and industrial concerns with retail business on premises, one (1) space for each one hundred fifty (150) square feet devoted to retail sales or services.

26.1 Location.

- a. Such parking space as required in this Section shall in no part exist upon, and no portion of any vehicle shall overhang the right-of-way of any public road, street, alley or walkway. There shall be no off-street parking in the front yards of residential districts except as normally exists in driveways.
- b. Parking spaces for all dwellings shall be located on the same plot with the main building.
- c. Parking spaces for all other uses shall be provided on the same plot with the main building, or not more than three hundred (300) feet distant, as measured along the nearest pedestrian walkway, provided that such area is under the same ownership as the principal use. The applicant for a Building Permit which proposes to use an area for off-street parking in order to meet the requirements of this Resolution and in accordance with the provisions of this subsection, shall submit evidence of a restrictive covenant running with the land to be used for off-street parking purposes stating that such land shall not be encroached upon, used, sold, leased or conveyed for any other purpose until such time as the principal building ceases to be required to provide such off-street parking facilities.
- d. Parking requirements for two (2) or more uses, of the same or of different types, may be provided by the establishment of the required number of spaces for each use in a common parking area, provided that all such uses being served by a common parking area are under the same ownership. Accessory uses shall not be required to have additional parking spaces other than those required by the principal use.
- e. Off-street parking areas may be situated in any R-2, R-3, or RP district abutting any "B" district or "M" district to a depth not exceeding three hundred (300) feet and provided that all off-street parking lot improvements as provided in Section 26.2 of this Section are complied with.

26.2 Off-Street Parking Requirements. Any off-street parking lot serving any use other than dwellings of four (4) units per building or less shall meet the following off-street parking lot improvement requirements.

- a. Screening Wall. The parking area will be provided with a continuous screening masonry wall six (6) feet in height where such off-street parking lots abut a property used for single family purposes in a single family residential district.
- b. Surfacing. For all retail sales and services, business services, and professional services serving the general public and having access to and abutting a paved street, the off-street parking area shall be provided with a hard surface all weather pavement of asphalt or cement, and shall be so graded and drained to provide for the adequate run-off and disposal of surface water.
- c. Lighting. Where lighting facilities are provided for the parking area, they shall be designed and installed so as to reflect the light away from any contiguous residentially zoned property.

26.3 Off-Street Loading Requirements.

- a. Every hospital, institution, commercial or industrial building or similar use having a floor area of twenty thousand (20,000) square feet or more, and requiring the receipt or distribution by vehicle of materials or merchandise shall have at least one (1) permanent off-street loading space for each twenty thousand (20,000) square feet of gross floor area or fraction thereof, immediately adjacent to the principal building.
- b. Retail operations, wholesale operations, and industrial operations, with a gross floor area of less than twenty thousand (20,000) square feet shall provide sufficient space for loading and unloading operations in order that the free movement of vehicles and pedestrians over a sidewalk, street, or alley, shall not be impaired.
- c. Every off-street loading and unloading space shall have direct access to a public street or alley, and shall have the following minimum dimensions:

Length, thirty (30) feet; Width, twelve (12) feet; Height, fourteen (14) feet.

Section 27. Overhanging or Extruding Projections.

27.1 "R" Districts and "M" Districts.

- a. Every part of a required yard or court shall be open from its lowest point to the sky, unobstructed, except for the customary projections of sills, belts, courses, cornices, ornamental features, and eaves; provided, however, that none of the above projections shall extend into a required yard more than thirty six (36) inches. Open or closed fire escapes, outside stairways, balconies, chimneys, flues, or other projections shall not extend into any required yard except that uncovered steps may project not more than three (3) feet into any required yard.

Section 28. Parking of Trucks and Trailers. Within any "R" zone no trucks, trailers, or wagons in excess of one (1) ton capacity shall be parked for storage purposes, including overnight, on any public right-of-way or on private property, except with a completely enclosed garage. Trailers of less than one (1) ton capacity, including pleasure boat trailers, collapsible camping trailers, and cargo trailers may be parked on private property in any district provided that such trailers are parked only within areas in which the principal building, accessory buildings, or the parking of vehicles is permitted.

Section 29. Performance Standards. These performance standards shall apply to all non-residential uses.

- 29.1 Smoke, dust, and dirt. There shall be no emission of visible smoke, dust, dirt, fly ash, or any particulate matter from any pipes, vents, or other openings, or from any other source, into the air. All fuel shall be either smokeless in nature or shall be used so as to prevent any emission of visible smoke, fly ash, or cinders into the air.
- 29.2 Fumes, vapors, and gases. There shall be no emission of any fumes, vapors, or gases of a noxious, toxic, or corrosive nature which can cause any damage or irritation to health, animals, vegetation, or to any form of property.

- 29.3 Sewage. There shall be no discharge at any point of liquid or solid wastes into any public sewage disposal system which will overload such system or create detrimental effects in the flow and treatment of public sewage. There shall be no discharge of any industrial wastes into any private sewage disposal system, stream, or into the ground of a kind or nature which would contaminate any water supply or otherwise cause the emission of dangerous or objectionable elements or conditions. There shall be no accumulation of solid wastes conducive to the breeding or rodents or insects.
- 29.4 Heat, Cold, Damness, or Movement of Air. Activities which shall produce any adverse effect on the temperature, motion, or humidity of the atmosphere beyond the lot line shall not be permitted.
- 29.5 Noise. The permitted level of noise or sound emission at the property line of the lot on which the principal use is located shall not at any time exceed the average noise level prevailing for the same hour, as generated by street and traffic activity. The determination of noise level shall be measured with a sound level meter that conforms to specifications published by the American Standards Association.
- 29.6 Odor. There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive, obnoxious, or unpleasant, beyond the property line on which the principal use is located. Any process, including the preparation of food, which may involve the creation and emission of any such odors shall be provided with both a primary and a secondary safeguard system so that odor control may be maintained in the event of failure of the primary safeguard system.
- 29.7 Glare. There shall be no direct glare visible from any residential district caused by unshielded floodlights or other sources of high intensity lighting.

Section 30. Permits in Conflict With These Regulations. Permits for either the construction of buildings or for the use of land or buildings which have been issued prior to the adoption of this Resolution and which are in violation with the regulations of this Resolution shall be declared void unless evidence is shown to establish that substantial expenditures have been made either for the preparation of plans for construction or for preliminary planning. Investment in real property shall not be construed as an expenditure towards construction. Unless actual construction work, including grading and excavation is under way within sixty (60) days after the adoption of this Resolution, such permit shall become void.

Section 31. Permitted Building Area. The principal building on any lot or parcel of land shall be erected within the area bounded by the building lines established by set-back or yard requirements. Accessory buildings may be erected within any building line established for the principal building and in required rear yards as may be otherwise provided in these Regulations.

Section 32. Principal Building On A Lot. Except "B" districts and Group Housing projects as provided in these Regulations only one (1) principal building and its customary accessory buildings may hereafter be erected on any lot of record. Any dwelling shall be deemed to be the principal building on the lot on which the same is located. An addition to any building shall not be construed as a principal building.

Section 33. Retaining Walls. Nothing in these Regulations shall be construed to prohibit or prevent the erection of a retaining wall on any property provided that such retaining wall does not adversely affect the natural flow of surface water, or create any other adverse effects upon adjacent or adjoining properties. However, any application for a retaining wall shall be subject to the approval of the County Engineer before issuance of a permit.

Section 34. Shopping Centers. Shopping Centers are hereby defined as a group of retail stores or shops under single ownership or management, with an area of five (5) acres or more, and with a minimum depth of three hundred (300) feet, established as a shopping entity, with common parking facilities, ingress and egress, loading and unloading facilities. Shopping centers may be permitted in any BR, BH, and BA districts, and may be developed in accordance with approval of a plat of a subdivision or development as approved by the Zoning Commission. A shopping center shall not be divided into separate lots for each store or use. No permit shall be issued for construction of a shopping center until the plans and specifications, including the design of ingress and egress roads, parking facilities, and such other items as may be found of importance have been approved by the Zoning Commission. No building shall be erected closer than twenty five (25) feet to any road right-of-way line. There shall be provided a minimum of one (1) parking space for each one hundred (100) square feet of floor area designed to be used for business or shopping purposes. Such parking area, including maneuvering areas, ingress and egress roads and driving lanes, shall be paved and kept in good repair at all times with a hard, all-weather surface. All points of access shall be to a public road; however, there shall be no public roads or alleys within the shopping center property. All loading and unloading shall be done entirely within the shopping center property. Except as otherwise provided in this Section, all uses within shopping centers shall conform with other regulations as set forth in this Resolution.

Section 35. Signs. The following Regulations shall apply to all surfaces having a rigid location on the ground, and utilized for the purpose of advertising any service, product, or business establishment. For the purpose of these Regulations, all advertising signs shall be divided into two (2) categories.

- a. Roadside signs, the location of which has no direct bearing on the service, product, or business establishment it advertises.
- b. Business signs, which are located on the same premises as the subject matter of the sign itself.

GENERAL.

No advertising signs shall be erected within twenty five (25) feet of an established right-of-way line, except as otherwise provided herein.

Signs may only be erected in business or industrial districts; provided that special permits may be granted under the provisions of these regulations to erect signs in other districts. In no event, however, shall approval be given to locate any sign in or within one hundred (100) feet of any single family residential district.

Business signs shall conform to the side yard setback requirements applicable to the related business establishments.

Animated signs which involve the motion of any part by any means, or which display flashing or moving lights shall be prohibited when the location or operation thereof tends to obstruct or unduly divert driver visibility, vision, and/or attention.

ROADSIDE SIGNS.

Roadside signs may be erected to within fifteen (15) feet of an established road right-of-way line, provided that no sign shall be erected within twenty five (25) feet of an established street or highway intersection, and no sign or any supports thereof shall obstruct driver visibility. The owner of the sign shall agree to remove same at his expense, should any portion of the twenty five (25) foot setback zone be required for road right-of-way purposes.

BUSINESS SIGNS.

Business signs may be erected on an established road right-of-way line, provided that no sign shall be erected within twenty five (25) feet of an established street or highway intersection and no sign, or any supports thereof, shall obstruct driver visibility. The owner of the sign shall agree to remove same at his own expense, should any portion of the twenty five (25) foot setback zone be required for road right-of-way purposes.

Section 36. Storage Of Flammable Liquids. No buildings, structures or premises shall be used for storage, sale or use of gasoline or any other liquid with a flashpoint of sixty (60) degrees Fahrenheit or less where any of the boundaries of the lot upon which such gasoline or other liquid is stored, used or sold are within two hundred (200) feet, measured in a straight line, of the nearest boundary line of any building or structure used as a church, school, hospital, home for the aged, nursing home, orphanage, auditorium, or theater, except open air theaters. This provision shall not prevent the use of liquified gases for domestic heating purposes.

Section 37. Subdivision Of Land. No lot shall be reduced in area or subdivided, or no tract of land shall be subdivided or reduced in area in a manner which would result in causing any lot to have an area less than that required in the district in which it is located, as set forth in this Resolution, or would reduce the open spaces or yards required by this Resolution.

Section 38. Use Of Public Rights-Of-Way. The sale of merchandise from within the limits and confines of all public road or street rights-of-way lying within the territory under the jurisdiction of this Resolution is prohibited.

Section 39. Yards And Open Spaces. The minimum yards and other open spaces, required in this Resolution for each and every building existing at the time of the passage of this Resolution or for any building hereafter erected or altered, shall not be encroached upon or considered a yard or open space or use requirement for any other building.

Section 40. Waterfront Properties. On any lot having water frontage, as defined in these Regulations, no principal building shall be located closer than twenty (20) feet from the high water mark.

Section 41. Compliance with Alachua County Subdivision Regulations. Whenever any land is rezoned for the purpose of constructing or locating a dwelling or other improvements thereon of a type or in a fashion not otherwise permitted within the former zoning classification, the provisions of the Alachua County Subdivision regulations shall be complied with in full, regardless of the date that the subject property may have been platted.

Section 42. Agriculture Uses in Other Zoning Districts. The agriculture pursuits described in Article VI of these regulations shall also be permitted in all other zoning districts, except R-1a, provided the minimum acreage requirements referred to in said Article VI shall have been met.

ARTICLE V

ZONING DISTRICTS

Section 1. Establishment of Districts. Within the zoned areas of Alachua County, Florida, the following zoning districts are established:

1.1 A, Agricultural District, Agricultural A-1 District.

1.2 Residential

- 1.2.1 RE, R-1aa, R-1a, Single Family, Low Density
- 1.2.2 R-1b, Single Family, Medium Density
- 1.2.3 R-1c, Single Family, Mobile Homes
- 1.2.4 R-2, Multiple Family, Low Density
- 1.2.5 R-3, Multiple Family, High Density
- 1.2.6 RP, Residential - Professional
- 1.2.7 RM, Mobile Home Park
- 1.2.8 PUD, Planned Unit Development

1.3 HM, Hospital - Medical

1.4 Business

- 1.4.1 AP, Administrative Professional
- 1.4.2 BP, Business and Professional
- 1.4.3 BR, Business, Retail
- 1.4.4 BH, Business, Highway
- 1.4.5 BA, Business, Automotive
- 1.4.6 BW, Business, Wholesale
- 1.4.7 MB, Business, Marine

1.5 Industrial

- 1.5.1 ~~MS~~MS, Local Service Industry
- 1.5.2 MP, Manufacturing

ARTICLE VI

AGRICULTURAL DISTRICTSSection 1. A, Agricultural District, Agricultural A-1 District.

1.1 Agriculture A-1 District - all uses as outlined in the Agriculture District, with the exception that Mobile Homes are not a permitted use.

1.1.1 Uses Permitted For Parcels of Land of Five (5) Acres or More.

Single family dwellings with their customary uses, on the basis of one (1) dwelling for each five (5) acres of land or more under the same ownership.

1.1.2 All commercial agricultural pursuits, and structures incidental thereto, including dairy products, live-stock, poultry and poultry products, field crops, truck crops, citrus groves, horticultural specialties, forestry, including naval stores operations.

1.1.3 The processing, packaging, and sale of agricultural products and commodities which are raised on the premises. Retail roadside sales shall be permitted only from conforming or temporary structures on private property. Such temporary structures may be permitted within the required front yard.

1.1.4 Public parks and recreation areas, golf courses, game preserves, and historical areas.

1.1.5 Mobile homes shall be permitted for living purposes on the basis of one (1) mobile home for each parcel of land of five (5) acres or more.

1.2 Uses Permitted for Parcels of Land of From One (1) to Five (5) Acres.

1.2.1 Single family dwellings excluding mobile homes.

1.2.2 Limited agricultural uses not to exceed, per acre, the following:

- a. Forty (40) chickens or other poultry.
- b. Horses for personal use.
- c. Two (2) cows or other cattle.
- d. Six (6) goats or sheep.

- 1.2.3 Poultry and livestock permitted in this Section shall be for personal use only, except that poultry and poultry by-products may be sold off the premises. No hogs or swine shall be permitted. The raising of all poultry and livestock shall be done in such a manner as to prevent obnoxious odors, the breeding of rodents, flies, or other insects, so as not to create a nuisance of any kind.

1.3 Uses Prohibited.

- 1.3.1 The commercial raising of fowl, animals, or reptiles, except as otherwise provided in this Section.
- 1.3.2 Any business, commercial, or industrial use, except in connection with the agricultural pursuits otherwise permitted in this Section.

Section 2. Lot and Building Requirements. The principal building, accessory buildings, and other land uses shall be located so as to comply with the following requirements:

Principal Building

Minimum Lot Area	1 acre
Minimum Lot Width at Building Line	100 ft.
Minimum Lot Depth	150 ft.
Minimum Front Yard	40 ft.
Minimum Side Yard, Interior	10 ft.
Minimum Side Yard, Street	25 ft.
Minimum Rear Yard	40 ft.
Maximum Percent of Lot Coverage	20 %

Accessory Buildings, Minimum Setback from Lot Lines:

Front	40 ft.
Rear	25 ft.
Side	Same as principal building

- 2.1 Accessory buildings used for processing, packaging and agricultural sales, dairy barns, hog pens, poultry houses, or stables shall be no closer than one hundred (100) feet to any lot or property line.

ARTICLE VII

RESIDENTIAL DISTRICTS

Section 1. Single Family Residential Districts, RE, R-1aa, R-1a, R-1b, R-1c, Multiple Family Residential Districts, R-2 and R-3; RP, Residential - Professional Districts and R-M, Mobile Home Park Districts. Within these districts as shown on the Zoning Map of Alachua County, Florida, the following Regulations shall apply:

Section 2. Single Family Residential Districts RE, R-1aa, R-1a, R-1b, and R-1c.

2.1 Uses Permitted

RE, R-1aa, R-1a, R-1b. Single Family Dwellings and customary accessory buildings thereto.

R-1c. Single Family Dwellings, Mobile Homes for living purposes and customary accessory buildings thereto.

2.2 Lot and Building Requirements. The principal building and accessory buildings shall be located and constructed in accordance with the following requirements.

<u>Principal Building</u>	<u>RE</u>	<u>R-1aa</u>	<u>R-1a</u>	<u>R-1b</u>	<u>R-1c*</u>
Minimum Lot Area	40,500 sq. ft.	20,000 sq. ft.	10,000 sq. ft.	8,500 sq. ft.	8,500 sq. ft.
Minimum Lot Width at Building Line	150 ft.	125 ft.	100 ft.	85 ft.	85 ft.
Minimum Lot Depth	270 ft.	160 ft.	90 ft.	90 ft.	90 ft.
Minimum Front Yard	40 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Minimum Rear Yard	40 ft.	40 ft.	20 ft.	20 ft.	20 ft.
Minimum Side Yard Interior	15 ft.	12.5 ft.	10 ft.	10 ft.	10 ft.
Minimum Side Yard, Street	25 ft.	25 ft.	15 ft.	15 ft.	15 ft.
Maximum Percent of Lot Coverage	20 %	30 %	35 %	35 %	35 %
Maximum Percent of Rear Yard Coverage	35 %	35 %	35 %	35 %	35 %
Maximum Building Height	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.

Accessory Buildings

Minimum Setback from Lot Line, Rear	7½ ft.	7½ ft.	7½ ft.	7½ ft.	7½ ft.
Minimum Setback from Lot Line, Side	Same as principal building	Same as principal building	Same as principal building	Same as principal building	Same as principal building

* Provided the lot is served by either a central water system or a sanitary sewer service system, otherwise lot and building requirements shall be the same as provided in the R-1a district.

2.3 Required Utilities. No Building Permit shall be issued for any building in an R-1b district unless such property is served by a central water system or a sanitary sewer service system.

Section 3. Multiple Family Residential Districts, R-2 and R-3.3.1 Uses Permitted.

3.1.1 R-2 Districts. Single family dwellings, multiple family dwellings up to and including four (4) units per building and customary accessory buildings incidental thereto.

3.1.2 R-3 Districts. Single family dwellings, multiple family dwellings with no limit on number of units, rooming houses, fraternities, sororities, dormitories, and customary accessory buildings incidental to these uses permitted.

3.2 Lot and Building Requirements.

<u>Principal Building</u>	<u>R-2</u>	<u>R-3</u>
Living Units	1 through 4	Unlimited
Minimum Lot Area:		
1 and 2 Units	8,500 sq. ft.	8,500 sq. ft.
3 Units and Over	10,000 sq. ft.	10,000 sq. ft.
Minimum Lot Width at Bldg. Line:		
1 and 2 Units	85 ft.	85 ft.
3 Units and Over	100 ft.	100 ft.
Minimum Lot Depth	90 ft.	90 ft.
Minimum Front Yard	25 ft.	25 ft.
Minimum Rear Yard	20 ft.	20 ft.
Minimum Side Yard, Interior:		
1 and 2 Units	10 ft.	10 ft.
3 Units and Over	10 ft.	10 ft. plus 6" for each foot of bldg. height over 35 feet
Minimum Side Yard, Street	15 ft.	15 ft.
Maximum Building Height	35 ft.	Unlimited
Maximum Percent of Lot Coverage	35 %	35 %

Accessory BuildingsMinimum Setback From Lot Line:

Rear	7-1/2 ft.	7-1/2 ft.
Side	Same as principal building	Same as principal building

Section 4. RP, Residential - Professional Districts.

- 4.1 Uses Permitted. Single family dwellings, multiple family dwellings, business and professional services, excluding the retail sale of goods and commodities and excluding personal services. Additional permitted uses shall include churches, schools, clubs, lodges, fraternities, sororities, dormitories, rooming houses, studios, including dance, music and art, and customary buildings incidental thereto. Off-street parking shall be permitted in all required yards.

4.2 Lot and Building Requirements.RPPrincipal Building

Living Units

Unlimited

Minimum Lot Areas:

- 1 Living Unit or Non-Residential Use
- 2 Living Units
- 3 Living Units and Over

8,500 sq. ft.
8,500 sq. ft.
10,000 sq. ft.

Minimum Lot Width at Building Line:

- 1 Living Unit or Non-Residential Use
- 2 Living Units
- 3 Living Units and Over

85 ft.
85 ft.
100 ft.

Minimum Lot Depth

90 ft.

Minimum Front Yard

25 ft.

Minimum Rear Yard

20 ft. plus
six inches
for each foot
of building
height over
35 feet

Minimum Side Yard, Interior:

- 1 Living Unit or Non-Residential Use
- 2 Living Units
- 3 Living Units and Over

10 ft.
10 ft.
10 feet plus six (6)
inches for each foot
of building height
over 35 ft.

Minimum Side Yard, Street

15 ft.

Maximum Building Height

Unlimited

Maximum Percent of Lot Coverage

35 %

Accessory Buildings

Minimum Setback from Lot Line, Rear

7-1/2 ft.

Minimum Setback from Lot Line, Side

Same as
principal
building

Section 5. RM, Mobile Home Park Districts.

- 5.1 Uses Permitted. Mobile home parks, accessory structures, incidental thereto, and the following accessory uses: recreational facilities, laundry facilities and office and mail facilities.

The sale of new and used mobile homes shall be permitted within the boundaries of an approved Mobile Home Park subject to the following conditions:

- (a) Purpose and Intent. The RM, Mobile Home Park District is established for the purpose of providing a district for mobile homes in approved parks, occupied as single family dwellings, with the intent of creating an environment of a residential character, designed to enhance living conditions and permitting only those uses, activities and services which are compatible with the residential environment. The RM, Mobile Home Park District is a residential district, not a commercial district. The following regulations are intended to protect the residential character of Mobile Home Parks.
- (b) Allowable Number. The number of mobile homes for sale shall not exceed ten (10) percent of the total number of approved mobile home spaces in the Mobile Home Park.
- (c) Location. Mobile homes for sale shall be located only on approved mobile home spaces in the Mobile Home Park and subject to the same setbacks and yard requirements as occupied mobile homes.
- (d) Maintenance. There shall be no renovating, overhaul, or repair to mobile homes offered for sale within the Mobile Home Park. However, customary maintenance shall be permitted, such as would be allowed for an occupant while living in a mobile home.
- (e) Advertising. There shall be no advertising signs, banners, pennants, or any type of display advertising mobile homes for sale, except that one (1) sign not over 18" x 24" shall be permitted to be posted on each mobile home offered for sale.

- 5.2 Approval of Mobile Home Parks. No mobile home park may hereafter be developed or expanded until the site plan there of has the approval of the Board of County Commissioners of Alachua County, which approval shall be given, provided the plans as submitted meet the requirements contained in this Resolution.
- 5.3 Contents of Plans. Complete site plans for mobile home parks shall be submitted at a scale no less than fifty (50) feet to the inch and shall show:
- (a) the area and dimensions of the proposed Mobile Home Park.
 - (b) the layout of streets, driveways and off-street parking spaces.
 - (c) the location of water lines, sanitary sewer lines, natural gas lines, manholes, fire hydrants and street lights.
 - (d) a preliminary drainage plan for the Mobile Home Park prepared by a registered engineer.
 - (e) location and dimensions of all buffers, office structures, utility buildings, recreation areas, signs, entrance ornamentations, and similar uses.
- 5.4 Development Requirements. The park shall be designed and constructed in accordance with the following requirements:
- (a) Size and Density. The minimum area allowable for a park shall be five (5) acres and the maximum density of mobile homes within the park shall be nine (9) mobile homes per gross acre. (Gross acreage includes all land area within the approved Mobile Home Park boundaries).
 - (b) Mobile Home Space. Each mobile home space shall be clearly defined on the ground and shall abut on a street or on a driveway with unobstructed access to a street, and each mobile home space shall contain no more than one (1) mobile home and accessory structures.
 - (1) Each single family mobile home space shall contain a minimum of three thousand (3,000) Square feet and shall be at least forty (40) feet wide at the building line. Each multiple family mobile home space shall contain a minimum of twenty-five hundred (2,500) square feet for each living unit, and shall be at least forty (40) feet wide at the building line.
 - (2) Minimum yards required between mobile homes or any enclosed appurtenances and lot lines shall be:

front yard	8 feet
side yard	5 feet
rear yard	5 feet

- (c) Street and Driveway Improvements. All street and driveways shall be paved in accordance with the specifications as set forth in the Alachua County Subdivision Regulations and shall have a minimum pavement width of twenty (20) feet.
- (d) Street Lighting. All streets or driveways within the park shall be lighted at night with electric lights providing a minimum average illumination of 0.2 footcandles.
- (e) Required Utilities.
 - (1) Electrical Supply. An electrical outlet supplying at least one hundred ten (110) volts with adequate current to provide the needs of each mobile home shall be provided for each trailer space. All such outlets shall be weather proof.
 - (2) Water Supply. An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipes to all building and mobile home spaces within the Park, to meet the requirements of the Park. Each mobile home space shall be provided with a cold water tap. An adequate supply of hot water shall be provided at all times in the service buildings for all bathing, washing, cleaning and laundry facilities.
 - (3) Sanitary Sewer Service. A central sanitary sewer system shall be provided with connectors to each mobile home space. Waste from showers, bath tubs, flush toilets, urinals, lavatories, slop sinks, and laundries in service and other buildings within the Park shall be discharged into a public or private sewer system meeting the requirements of the County Health Department and the State Department of Health and Rehabilitation, services of Division of Health.
- (f) Garbage Receptacles. Approved garbage cans with tight fitting covers shall be provided in quantities adequate to permit disposal no farther than three hundred (300) feet from any mobile home space. The cans shall be kept in good repair at all times. Garbage and rubbish shall be collected and disposed of as frequently as may be necessary to insure that the garbage cans shall not overflow. The use of a central garbage collection system shall be permitted as an alternative.
- (g) Fire Protection. Every Park shall have adequate fire fighting facilities and be approved by the County Engineer and meet the following requirements:
 - (1) Central Water Supply
 - (2) Six Inch Water Main
 - (3) Water Pressure: 20 PSI
 - (4) Fire Flow: 500 GPM in addition to normal domestic supply only on Hydrant supply lines.

(5) Hydrants Spacing: 1000 feet Maximum

No open fires shall be permitted at any place which may endanger life or property. No fires shall be left unattended at any time.

- (h) Required Recreational Area. A minimum of five (5) percent of the gross land area within the park boundaries shall be designed for use as park recreation area.

(i) Required Buffers.

- (1) Mobile home parks shall be surrounded by buffer strips at least ten (10) feet in depth on the sides and rear and twenty-five (25) feet in depth along the front; provided however, that no side or rear buffer is required between adjacent mobile home development.

- (2) Buffers shall be landscaped and maintained, and shall otherwise be unoccupied except for below ground utility facilities, entrance streets, signs or entrance ornamentations.

- (j) Screening. Any portion of the property of a Mobile Home Park abutting any residential, business or industrial district shall be screened therefrom by a four (4) foot masonry wall of solid face construction or an approved fence with a minimum height of four (4) feet screened from the residential side by dense evergreen foliage maintained to a minimum height of four (4) feet. Such screening shall be erected and maintained by the owners of the Mobile Home Park property.

- (k) Parking. At least one (1) paved off-street parking space minimum eight and one half by eighteen feet ($8\frac{1}{2} \times 18'$) shall be provided for each mobile home lot.

ARTICLE VIII

PLANNED UNIT DEVELOPMENT DISTRICT

SECTION 1. Planned Unit Development District. Within this district as shown on the zoning map of Alachua County, Florida, the following Regulations shall apply:

SECTION 2. Intent and Purpose, Permitted Uses:

A. Intent and Purpose: It is the purpose of this article to permit Planned Unit Developments which are intended to encourage the development of land as planned communities; encourage flexible and creative concepts of site planning; preserve the natural amenities of the land by encouraging scenic and functional open areas; accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of this regulation; provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and provide a stable environmental character compatible with surrounding areas.

B. Permitted Uses: The uses permitted within this district shall include the following:

1. Residential units, including single-family attached and detached dwellings, two-family dwellings and multiple-family dwellings.
2. Churches, schools, community or club buildings and similar public and semi-public facilities
3. Nonresidential uses, including commercial or retail uses, industrial uses and offices, clinics and professional uses.

SECTION 3. Definitions:

In addition to the definitions contained in Article III of the Zoning Regulations, the following terms, phrases, words and derivations shall have the following meaning:

A. Common Open Space: An area of land, or an area of water, or combination of land and water within the area of a Planned Unit Development which is designed and intended for the use or enjoyment of residents of the Planned Unit Development in common. Common open space may contain such recreation structures and improvements as are desirable and appropriate for the common benefit and enjoyment of residents of the Planned Unit Development.

B. Gross Acreage: The total number of acres within the perimeter boundaries of a Planned Unit Development.

C. Land Owner: The legal or beneficial owner or owners of all the land proposed to be included in a Planned Unit Development; the holder of an option or a contract to purchase; or a person having possessory rights of equal dignity will be deemed to be a land owner for the purpose of this Regulation, so long as the consent to the Planned Unit Development of the owners of all other interest in the land concerned is obtained.

D. Net Acreage: The total number of acres within the perimeter boundaries of a Planned Unit Development excluding areas devoted to streets, rights-of-way, easements, lakes, public and private open space and recreation area.

E. Planned Unit Development: An area of land devoted by its owner to development as a single entity for a number of dwelling units and complementary commercial uses in accordance with a plan which does not necessarily comply with the provisions of Articles I through XIII with respect to lot size, lot coverage, setbacks, off-street parking, bulk or type of dwelling, density and other restrictions.

F. Plan: The proposal for development of a Planned Unit Development, including a plat of subdivision, all covenants, grants of easement and other conditions relating to use, location and bulk of buildings, density development, common open space and public facilities. The plan shall include such information as required by Section 4 of this Article.

SECTION 4. Procedure for Approval of a Planned Unit Development:

The procedure for obtaining a change in zoning district for the purposes of undertaking a Planned Unit Development shall be as follows:

A. Planned Unit Development Zoning and Master Plan Approval: The applicant shall submit to the Zoning Commission his request for change to Planned Unit Development zoning classification and a proposed Master Land Use Plan containing the following exhibits:

1. A vicinity map showing the location of the proposed Planned Unit Development, relationship to surrounding streets and thoroughfares, existing zoning on the site and surrounding areas and existing land use on the site and surrounding areas.
2. A boundary survey and legal description of the property.
3. A topographic survey. The most recent U.S.G.S. topographic survey may be utilized if no better topographic information is available.

4. A Master Plan showing proposed land uses, open space and streets and thoroughfares.
5. A table showing acreage for each category of land use and a table of proposed maximum and average densities for residential land uses.
6. A proposed utility service plan including sanitary sewers, storm drainage and potable water supply.
7. A statement indicating the type of legal instruments that will be created and provide for the management of common areas.

Thereafter, the application shall be processed as any other zoning application in accordance with the provision of these Regulations.

B. Final Development Plan: If rezoning approval for the Planned Unit Development is granted, within twelve (12) months the applicant shall submit to the Zoning Administrator for his approval a Final Development Plan covering all of the approved Master Plan. The Final Development Plan shall include the following exhibits:

1. A statement of objectives:
 - a. The general purpose of the proposed development.
 - b. The general character of the proposed development.
2. A topographic map drawn to scale of one hundred (100) feet to one (1) inch by a registered surveyor and/or engineer showing:
 - a. The location of existing property or right-of-way lines both for private property and public property, streets, buildings, water courses, transmission lines, sewers, bridges, culverts and drain pipes, water mains and any public utility easements.
 - b. Wooded areas, streams, lakes, marshes and any other physical conditions affecting the site.
 - c. Existing contours shown at a contour interval of one (1) foot.
3. A development plan drawn at a scale of one hundred (100) feet to one (1) inch and showing:
 - a. The boundaries of the site, topography and proposed grading plan.
 - b. Width, location and names of surrounding streets.

- c. Surrounding land use.
 - d. Proposed streets and street names and other vehicular and pedestrian circulation systems including off-street parking.
 - e. The use, size and location of all proposed building sites.
 - f. Location and size of common open spaces and public or semi-public areas.
4. A utility service plan showing:
- a. Existing drainage and sewer lines.
 - b. The disposition of sanitary waste and storm water.
 - c. The source of potable water.
 - d. Location and width of all utility easements or rights-of-way.
 - e. Plans for the special disposition of storm water drainage when it appears that said drainage could substantially harm a body of surface water.
5. A landscaping plan showing:
- a. Landscaped areas.
 - b. Location, height and material for walks, fences, walkways, and other man-made landscape features.
 - c. Any special landscape features such as, but not limited to, man-made lakes, land sculpture and waterfalls.
6. Statistical information:
- a. Total acreage of the site.
 - b. Maximum building coverage expressed as a percent of the area.
 - c. Area of land devoted to landscaping and/or open space useable for recreation purposes expressed as a percent of the total site area.
 - d. Calculated density for the proposed section.

7. The substance of covenants, grants, easements or other restrictions to be imposed on the use of the land, buildings and structures, including proposed easements for public and private utilities.

C. No building permit shall be issued for any portion of a proposed Planned Unit Development until the Final Development Plan has been approved.

D. Revision of Planned Unit Development: Any proposed major or substantial change in the approved Planned Unit Development which affects the intent and character of the development, the density or land use pattern, the location or dimension of streets or similar substantial changes shall be reviewed by the Zoning Commission and by the Board of County Commissioners in the same manner as the initial application. A request for a revision of the development plan shall be supported by a written statement demonstrating the reasons the revisions are necessary or desirable. Minor changes which do not effect the intent or character of the development may be approved by the Zoning Administrator.

E. Planned Unit Development Time Limitations: If substantial construction, as determined by the Zoning Administrator, has not begun within two (2) years after approval of the Planned Unit Development under Section 4A hereof, the approval of the Planned Unit Development will lapse.

At its discretion and for good cause, the Board of County Commissioners may extend for one (1) additional year the period for beginning construction. If the approved Planned Unit Development lapses under this provision, the Zoning Administrator shall cause the Planned Unit Development district to be removed from the official zoning map, mail a notice by registered mail of revocation to the owner and reinstate the zoning district which was in effect prior to the approval of the Planned Unit Development.

F. Deviation From the Development Plan: Any unapproved deviation from the accepted development plan shall institute a breach of agreement between the applicant and the County. Such deviation may cause the Board of County Commissioners to immediately revoke the development plan until such time as the deviations are corrected or become a part of the accepted development plan.

SECTION 5. Development Standards for Planned Unit Development:

The development standards for Planned Unit Development are as follows:

A. Size of Planned Unit Developments: The minimum size parcel to be considered for Planned Unit Development shall be ten (10) acres. However, if the Planned Unit Development is to include a combination of nonresidential uses and residential uses, the parcel must contain a minimum of twenty (20) acres.

B. Relation to Zoning Districts: An approved Planned Unit Development shall be considered to be a separate zoning district in which the development plan, as approved, establishes the restrictions and regulations according to which the development shall occur. Upon approval, the official Zoning Map will be changed to indicate the area as Planned Unit Development.

C. Density: The average density permitted in each Planned Unit Development shall be established by the Board of County Commissioners upon recommendation of the Zoning Commission. The criteria for establishing an average density includes existing surrounding density, density permitted by the existing zoning classification, adequacy of existing and proposed public facilities and services and site characteristics.

D. Dimensional and Bulk Restrictions: The location of all proposed building sites shall be shown on the Final Development Plan, subject to the minimum lot sizes, setback lines, lot coverage or floor area, specified in the Master Plan as approved by the Board of County Commissioners.

E. Common Open Space: At least five percent (5%) of the area covered by a Final Development Plan shall be useable, common open space owned and operated by the developer or dedicated to a home-owner association or similar group. Provided, that in establishing the density per gross acre, the Board of County Commissioners may increase the percentage of common open space in order to carry out the intent and purpose as set forth in Section 2 hereof.

F. Access and Parking: All streets, thoroughfares and access ways shall be designed to effectively relate to the major thoroughfare plans of Alachua County. Adequate off-street parking shall be provided.

G. Perimeter Requirements: The Board of County Commissioners may impose the requirement that structures, buildings and streets located at the perimeter of the development be permanently screened to protect the privacy of the adjacent existing uses.

H. Control of Area Following Completion: After completion of a Planned Unit Development, the use of the land and/or modification or alteration of any buildings or structures within the area covered by the plan shall continue to be regulated in accordance with the approved development plan except as otherwise provided for herein.

1. Minor extensions, alterations or modifications of existing buildings or structures may be permitted after review and approval by the Zoning Administrator, provided they are substantially consistent with the purposes and intent of the development plan.
2. Substantial change in permitted uses, location of buildings or other specifications of the development plan may be permitted following public hearing and approval by the Board of County Commissioners upon receipt of the recommendation of the Zoning Commission.

I. Nonresidential Construction: No nonresidential use, nor any building devoted primarily to a nonresidential use shall be built or established prior to substantial completion of the residential buildings or uses it is intended to serve, if any.

ARTICLE IX

HOSPITAL - MEDICAL DISTRICTS

Section 1. HM, Hospital - Medical Districts. Within this district as shown on the Zoning Map of Alachua County, Florida, the following Regulations shall apply:

1.1 Uses Permitted.

- 1.1.1 Single family dwellings, multiple family dwellings, rooming houses, hotels, and motels.
- 1.1.2 Hospitals for human care, nursing homes, medical or dental offices, clinics for medical or dental practice, and clinical laboratories.
- 1.1.3 Churches, schools and dormitories.
- 1.1.4 Pharmacies devoted exclusively to the preparation and retailing of drugs, medicines, surgical and orthopedic supplies.

1.2 Accessory Uses Permitted. Within each hospital, clinic, medical or dental building, accessory uses may be permitted for the convenience of employees, patients and visitors, provided that such uses shall be confined to the interior of such building, and that access to such accessory uses shall be from within a lobby or corridor of the principal building. There shall be no advertising or visible indication of such accessory uses from the outside of the principal building. Such accessory uses may include, but not be limited to, the sale of foods and beverages, periodicals, tobaccos, and other convenience items.

1.3 Lot and Building Requirements. The principal building and accessory buildings shall be located and constructed in compliance with the following requirements:

Principal BuildingHM

Minimum Lot Area:

1 through 4 Units	8,500 sq. ft.
5 Units and Over	10,000 sq. ft.
Hospitals and Clinics	10,000sq. ft.

Minimum Lot Width at Building Lines:

1 through 4 Units	85 ft.
5 Units and Over	100 ft.
Hospitals and Clinics	100 ft.

Minimum Front Yard

25 ft.

Minimum Side Yard, Interior:

1 and 2 stories	10 ft.
2 stories and over	10 ft. plus six inches for each foot of building height over 35 ft.
Minimum Side Yard, Streets	15 ft.

Minimum Rear Yard

20 ft. plus 6 inches for each
foot of building height over 35 feet

Maximum Percent of Lot Coverage

40 %

Maximum Building Height

None

Accessory Buildings:

Accessory buildings may be erected on any lot provided that such buildings are erected only in the permitted building area or the rear yard. Accessory buildings shall not cover more than thirty (30) percent of any required rear yard and shall be located at least seven and one half (7 - 1/2) feet from all lot lines and from any other building on the same lot. Accessory buildings over one (1) story in height shall comply with the same yard setback requirements applicable to the principal building.

ARTICLE X

BUSINESS DISTRICTS

Section 1. AP, Administrative and Professional District; BP, Business and Professional; BR, Business, Retail Sales and Services; BH, Highway Oriented Business; BW, Wholesale and Warehousing; and MB, Business, Marine. Within these districts as shown on the Zoning Map of Alachua County, Florida, the following Regulations shall apply:

Section 2. AP, Administrative and Professional District.

2.1 Uses Permitted.

- 2.1.1 Offices of physicians, dentists, osteopaths, chiropractors, opticians or other professional persons concerned with improving personal or community health.
- 2.1.2 Offices of architects, engineers, artists or other persons employed in the graphic arts.
- 2.1.3 Offices in which personnel will be employed for work in one or more of the following fields:

Executive, administrative, legal, writing, clerical, stenographic, accounting, insurance, real estate, mortgage loan service or other similar enterprises.

2.2 Lot and Building Requirements

AP

Minimum Lot Area	5,000 sq. ft.
Minimum Lot Width at Building Line	50 feet
Minimum Lot Depth	100 feet
Minimum Front Yard	25 feet
Minimum Rear Yard	10 feet
Minimum Side Yard, Interior	5 feet
An additional four (4) inches of side yard shall be required for each additional foot of building height over	
	35 feet
Minimum Side Yard, Street	15 feet
Maximum Percentage of Lot Coverage	40 %

Section 2a. BP, Business and Professional Districts.

- 2.1 Uses Permitted. Professional services, business services, personal services, public and private institutions, parks, government and community buildings, multiple family dwellings of four (4) or more units per building, studios, clubs and lodges, hospitals, veterinarians, churches, funeral homes, and nursing homes.
- 2.2 Uses Prohibited. Single family dwellings, the retail sale of goods and commodities except as accessory to any of the uses permitted, and such other uses as not expressly permitted for this district.

2.3 Lot and Building Requirements.BPPrincipal Building

Minimum Lot Area:

Business and Professional Uses	5,000 sq. ft.
Apartment Buildings	10,000 sq. ft.

Minimum Lot Width at Building Line:

Business and Professional Uses	50 feet
Apartment Buildings	100 feet

Minimum Lot Depth 100 feet

Minimum Front Yard 25 feet

Minimum Rear Yard 10 feet

Minimum Side Yard, Interior:

Business and Professional Uses	5 feet
Apartment Buildings	10 feet

An additional four (4) inches of side yard abutting another lot shall be required for each additional foot of building height over thirty five (35) feet.

Minimum Side Yard from Street 15 feet

Maximum Building Height Unlimited

Maximum Percent of Lot Coverage 40 %

Accessory Buildings.Minimum Setback from Lot Line
Rear and Side

7-1/2 feet
Same as principal building

Section 3. BR, Retail Sales and Services.

3.1 Uses Permitted. Professional services, personal services, business services, retail sales and services, Type "A" restaurants, cocktail lounges, bars, taverns, hotels and motels, and night clubs within the principal building; and excluding automotive sales and services and service stations.

3.2 Lot and Building Requirements.**BR**

Minimum Lot Area 5,000 sq. ft.

Minimum Lot Width at Building Line 50 ft.

Minimum Lot Depth 100 ft.

Minimum Front Yard 25 ft.

Minimum Rear Yard None

Except where such rear yard abuts a residential district, a setback of five (5) feet shall be required.

Minimum Side Yard, Street 15 ft.

Maximum Percent of Lot Coverage 100 % of the permitted building area

Maximum Building Height Unlimited

Section 4. BH, Highway Oriented Business Services.

4.1 Uses Permitted. Professional services, personal services, retail sales and services, hotels and motels, multiple family dwellings of four (4) or more units per building, cocktail lounges and night clubs within the principal building and as accessory to hotels and motels; types "A", "B", and "C" restaurants and service stations; but excluding major repairs, paint and body works, commercial recreation and entertainment uses.

4.2 Lot and Building Requirements.

4.2.1 All Permitted Uses Except Multiple Family Dwellings.

	<u>BH</u>
Minimum Lot Area	5,000 sq. ft.
Minimum Lot Width at Building Line	50 ft.
Minimum Lot Depth	100 ft.
Minimum Front Yard	25 ft.
<p>Except where such rear yard abuts a residential district, a setback of five (5) feet shall be required.</p>	
Minimum Side Yard, Street	15 ft.
Maximum Percent of Lot Coverage	100 % of the permitted building area
Maximum Building Height	Unlimited

4.2.2 Multiple Family Dwellings. Multiple family dwellings as permitted in this district shall meet the lot and building requirements as provided for R-3 districts, Section 2.2., Article VII of these Regulations.

Section 5. BA, Automotive Oriented Business.

- 5.1 Uses Permitted. Business services, professional services, personal services, retail sales and services, Types "A", "B", and "C" restaurants, bars, taverns, drive-in theaters, service stations, sale of new and used automobiles, truck sales, trailer rental and sales, motels, hotels, cocktail lounges, night clubs, and auto repair facilities including overhauling, major repairs, paint and body works, commercial recreation and entertainment uses; but excluding mobile homes sales and rental.

5.2 Lot and Building Requirements.BA

Minimum Lot Area 5,000 sq. ft.

Minimum Lot Width at Building Line 50 ft.

Minimum Lot Depth 100 ft.

Minimum Front Yard 25 ft.

Minimum front setbacks as established
by the required setback from the center-
line of the street according to street
classification.

Minimum Rear Yard None

Except where such rear yard abuts a
residential district, a setback of five
(5) feet shall be required.

Minimum Side Yard, Street 15 ft.

Maximum Percent of Lot Coverage 100 % of permitted
building area.

Maximum Building Height Unlimited

Section 6. BW, Wholesale and Warehousing.

6.1 Uses Permitted. Professional services, business services, personal services,
retail sales and services, hotels, motels, night clubs, bars, taverns, cock-
tail lounges, recreation and entertainment, drive-in establishments, types
"A", "B", and "C" restaurants, service stations, automotive sales and ser-
vices, wholesale, warehousing, trucking facilities, freight terminals, mov-
ing and storage uses.

6.2 Lot and Building Requirements.

Minimum Lot Area 5,000 sq. ft.

Minimum Lot Width at Building Line 50 ft.

Minimum Lot Depth 100 ft.

6.2 Lot and Building Requirements (Continued) BW

Minimum Front Yard 25 ft.

Minimum Rear Yard None

Except that where such rear yard abuts a residential district, a setback of five (5) feet shall be required.

Maximum Percent of Lot Coverage 100 percent of permitted building area.

Maximum Building Height Unlimited

Section 7. MB, Business Marine.

7.1 Uses Permitted. All uses permitted in the BR districts, and in addition, boat sales and services, including the sale of fuel and lubricants to boats only, boat storage and repair, and fish camps.

7.2 Lot and Building Requirements. Same as BA districts.

Section 8. General Provisions for Business Districts. Within all "B" districts as shown on the Zoning Map of Alachua County, Florida, the following Regulations shall apply:

8.1 Facing of Business Uses. When applicable, business uses shall face other business or commercial districts across a street if within a business or industrial zone, and shall not face residential zones which may front on an intersecting or rear street adjacent to such business or commercial zone.

8.2 Access to Business Uses. Where business district property abuts two (2) streets, and where that portion of such street abutting business district property also abuts any residential district, access to such business district property shall be provided only from the street not abutting a residential district.

8.3 Screening of Business Property. Any lot in a business or industrial zone abutting property used for single family dwelling purposes in a single family residential district shall provide screening for protection of the residential property as follows:

- a. A continuous masonry wall of not more than twenty five (25) percent open face construction, six (6) feet in height shall be provided. Such wall shall be erected and maintained by the owner or occupant of the business property.
 - b. On any lot in a business zone which abuts a lot lying within a residential zone, there shall be provided a minimum setback of five (5) feet for the principal building and accessory buildings on the property in the business zone along property lines abutting properties existing within a residential zone.
- 8.4 Conduct of Business Uses. All principal uses in any BP, BR, and BH districts shall be contained within completely enclosed buildings, except as otherwise provided herein. This shall prohibit any outdoor storage or display of goods and commodities not contained within a completely enclosed building. However, off-street parking lots shall be permitted in each of these districts outside of a completely enclosed building.
- 8.5 Shopping Centers. Shopping centers shall be permitted in any BH, BR, and BA districts provided that such shopping centers meet the requirements set forth in Section 34, Article IV, of this Resolution.

ARTICLE XI

INDUSTRIAL DISTRICTS

Section 1. MS, Local Service Industrial Districts; and MP, Manufacturing, Industrial Districts. Within these districts, as shown on the Zoning Map of Alachua County, Florida, the following Regulations shall apply:

Section 2. MS, Local Service Industrial Districts.

2.1 Uses Permitted. Business services, professional services, personal services, retail sales and services, types "A", "B", and "C" restaurants, bars, taverns, cocktail lounges, lumber and building supplies, automotive sales and services, heating and air conditioning, sheet metal works, welding, plumbing sales, and fabrication, electrical, laundries and dry cleaning, bakeries, bottling plants, printing, manufacturing and processing confined within closed buildings, and subject to performance standards as set forth in this Article, and wholesale, warehousing, trucking and moving, storage and freight depots, living units as accessory to permitted uses, and single family dwellings on existing lots of record including other uses permitted in the same lot as accessory uses.

2.2 Lot and Building Requirements:

MS

Minimum Lot Area	5,000 sq. ft.
Single family dwellings, business and professional uses, and industrial uses	
Minimum Lot Width at Building Line	50 ft.
Single family dwellings, business and professional uses, and industrial uses	
Minimum Lot Depth	100 ft.
Minimum Front Yard	25 ft.
Minimum Rear Yard	10 ft.
Except where the rear yard abuts, and is used for access to, a railroad siding	
Minimum Side Yard, Interior	
Single family dwellings, business and professional uses, and industrial uses except where the side yard abuts, and is used for access to, a railroad siding. An additional four (4) inches of side yard abutting another lot shall be required for each additional foot of building height	35 ft.
Maximum Side Yard from Street	15 ft.
Maximum Building Height	Unlimited
Maximum Percent of Lot Coverage	40 %
Minimum Setback from Lot Line of Accessory Buildings	5 ft.

Section 3. MP, Manufacturing Industrial District.

3.1 Uses Permitted. Professional services, business services, retail sales and services, manufacturing, or industrial uses, research laboratories, whole-sale, warehousing, trucking, moving, storage and freight depots, and junk yards. The retail sale of goods and commodities shall be permitted only as accessory to the principal industrial uses.

3.2 Lot and Building Requirements. The principal building and accessory buildings shall be located in accordance with the following requirements:

	<u>MP</u>
Minimum Lot Area	20,000 sq. ft.
Minimum Lot Frontage	100 ft.
Minimum Front Yard	25 ft.
Minimum Side Yard:	
Interior	15 ft.
Street	25 ft.
Minimum Rear Yard	15 ft.
Maximum Percent of Lot Coverage	70 %
Maximum Building Height	None

Section 4. Performance Standards. All uses in industrial districts shall comply with the standards set forth in this Section regulating the emission or existence of dangerous, detrimental and objectionable elements.

4.1 Measurement at the point of emission shall be determined for the following items:

- a. Fire and Explosion Hazards. All activities and all storage of inflammable and explosive materials at any point shall be provided with adequate safety devices against the hazards of fire and explosion including adequate fire-fighting and fire suppression equipment.
- b. Radioactive Elements. There shall be no radiation emitted from radioactive materials or by-products exceeding a dangerous level of radioactive emissions at any point. Radiation limitations shall not exceed quantities established as safe by the U.S. Bureau of Standards.

- c. Electromagnetic Interference. For the purpose of these Regulations, electromagnetic interference shall be defined as disturbances of an electromagnetic nature which are generated by the use of electrical equipment, other than planned and intentional sources of electromagnetic energy, which would interfere with the proper operation of electromagnetic receptors of quality and proper design.

No person shall operate or cause to be operated, any planned or intentional source of electromagnetic radiation for such purposes as communication, experimentation, entertainment, broadcasting, heating, navigation, therapy, vehicle velocity measurement, weather survey, aircraft detection, topographical survey, personal pleasure, or any other use directly or indirectly associated with these purposes which does not comply with the current regulations of the Federal Communications Commission regarding such sources of electromagnetic radiation. Further, said operations in compliance with the Federal Communications Commission regulations shall be unlawful if such radiation causes an abnormal degradation of performance of other electromagnetic radiators or electromagnetic receptors of quality and proper design because of proximity, primary field, blanketing, spurious re-radiation, conducted energy in power or telephone systems, or harmonic content.

The determination of "abnormal degradation of performance" and of "quality and proper design" shall be made in accordance with good engineering practices as defined in the latest principals and standards of the American Institute of Electrical Engineers, the Institute of Radio Engineers, and the Radio Manufacturers' Association. In case of any conflict between the latest standards and principals of the above groups, the following precedence of interpretation of the standards and principals shall apply: (1) American Institute of Electrical Engineers; (2) Institute of Radio Engineers; and (3) Radio Manufacturers' Association.

Recognizing the special nature of many of the operations which will be conducted because of the research and educational activities, it shall be unlawful for any person, firm, or corporation to operate or cause to be operated, to maintain or cause to be maintained any planned or intentional source of electromagnetic energy, the radiated power from which exceeds one thousand (1,000) watts, without a permit.

- d. Smoke, Dust, and Dirt. There shall be no emission of visible smoke, dust, dirt, fly ash, or any particulate matter from any pipes, vents or other openings, or from any other source, into the air. All fuel shall be either smokeless in nature or shall be used so as to prevent any emission of visible smoke, fly ash or cinders into the air.

- e. Fumes, Vapors and Gases. There shall be no emission of any fumes, vapors, or gases of a noxious, toxic or corrosive nature which can cause any damage or irritation to health, animals, vegetation, or to any form of property.
- f. Industrial Wastes. There shall be no discharge at any point of liquid or solid wastes into any public sewage disposal system which will overload such system or create detrimental effects in the flow and treatment of public sewage. There shall be no discharge of any industrial wastes into any private sewage disposal systems, stream, or into the ground of a kind or nature which may contaminate any water supply or otherwise cause the emission of dangerous or objectionable elements of conditions. There shall be no accumulation of solid wastes conducive to the breeding of rodents or insects.
- 4.2 Measurements of the emission at the property line on which the principal use is located shall be determined for the following items:
- a. Vibration. There shall be no perceptible earth vibration. All stamping machines, punch presses, press brakes, hot forgings, steam, board hammers or similar devices shall be placed on shock absorption mountings and on suitable reinforced concrete footings. No machine shall be loaded beyond the capacity as described by the manufacturers.
- b. Heat, Cold, Dampness or Movement of Air. Activities which shall produce any adverse effect on the temperature, motion, or humidity of the atmosphere beyond the lot line shall not be permitted.
- c. Noise. The permitted level of noise or sound emission at the property line of the lot on which the principal use is located shall not exceed the values given in the following table in any octave band of frequency. The sound pressure level shall be measured with a Sound Level Meter and an Octave Band Analyzer that conforms to specifications published by the American Standards Association.

MAXIMUM SOUND PRESSURE IN DECIBELS

(1 Decibel = 0.0002 Dynes Per Square Centimeter)

<u>Cycles Per Second</u>	<u>District</u>	
	<u>MS</u>	<u>MP</u>
Below 75 -	70	73
75 - 150	65	68
150 - 300	57	60
300 - 600	50	53
600 - 1,200	44	47
1,200 - 2,400	38	41
2,400 - 4,800	32	35
4,800 - Over	30	33

- d. Odor. There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive at the points of measurement. Any process which may involve the creation or emission of any such odors shall be provided with both a primary and a secondary safeguard system so that control may be maintained in the event of failure of the primary safeguard system. There is hereby established, as a guide in determining such quantities of offensive odors, Chapter 5, "Air Pollution Abatement Manual", Copyright 1951, by Manufacturing Chemists, Incorporated, Washington, D.C.
- e. Glare. There shall be no direct or sky reflected glare, whether from floodlights, high temperature processing, combustion, welding, or otherwise so as to be visible at the specified points of measurement.

ARTICLE XII

PUBLIC USES

Section 1. Application. All uses of public land and public buildings not otherwise provided for in this Resolution shall be subject to the Regulations of this Article.

Section 2. Public Uses. Public uses as defined in this Resolution, not including rental or lease of any land or buildings by a public body, except public owned utility buildings and areas, shall comply with the following Regulations:

2.1 Uses Permitted.

- 2.1.1 Any public use may be permitted in accordance with an approved plat of any subdivision or development on which there is established and identified specific areas for public uses.
- 2.1.2 Any public use may be permitted in any district provided that the request for such use is officially made to the Zoning Commission by the public body desiring such use. The Zoning Commission shall hold a public hearing on such request after giving fifteen (15) days notice of the time and place of such hearing. The Zoning Commission shall determine whether or not such requested use is necessary, and if the necessity is established, there shall be further established recommended requirements to be met concerning such use. The Zoning Commission's recommendation shall be forwarded to the Board of County Commissioners for final action.
- 2.1.3 Public uses existing at the time of the effective date of this Resolution and as indicated on the Zoning Map, are hereby established as conforming public uses.

Section 3. Government Owned Public Utilities. Request for the use of any land or building for any public utility owned and operated by any government body, shall be submitted to the Zoning Commission by the requesting governmental body for the Zoning Commission's study and recommendation. The Zoning Commission shall consider the recommendations made by the respective government's engineer or other specialists as it may designate, in reference to site locations and other considerations for these uses. The Zoning Commission shall hold a public hearing on such request after giving fifteen (15) days notice of the time and place of such hearing. The recommendations of the Zoning Commission shall be forwarded to the Board of County Commissioners for final action.

Section 4. Privately Owned Public Utilities. The use of land and buildings by privately owned public utility companies shall be permitted in accordance with the following regulations:

- 4.1 Public utilities not owned and operated by a public body, including telephone and telegraph, electricity, natural and artificial gas, shall be permitted in any district subject to the recommendation of the Zoning Commission, which shall hold a public hearing on each request after giving fifteen (15) days notice of the time and place of such hearing. The recommendation of the Zoning Commission shall be forwarded to the Board of County Commissioners for final action.
- 4.2 Public transportation terminals, including commercial bus, railroad, air, and water facilities, shall be permitted in any "B" and "M" districts, provided that such application is recommended by the Zoning Commission, which shall hold a public hearing after giving fifteen (15) days notice of the time and place of such hearing. The recommendation of the Zoning Commission shall be forwarded to the Board of County Commissioners for final action.

Section 5. Lot and Building Requirements. All uses permitted in accordance with this Article shall meet the lot and building requirements of the district in which they are located unless it is determined by the Zoning Commission that such lot and building requirements would not permit the best use of land and would not provide the best return of the public investment or the best public interest.

ARTICLE XIII

ADMINISTRATION AND ENFORCEMENT

Section 1. Administration. The Board of County Commissioners shall designate one (1) or more persons to administer and enforce the provisions of these Zoning Regulations. Such designated person or persons shall be known as the Secretary to the Zoning Commission and/or Zoning Administrator.

Section 2. Application. No building, or structure, or part thereof, shall hereafter be erected, constructed, re-constructed, or altered, and no existing use, new use, or change of use of any building, structure, or land, or part thereof shall be made or continued except in conformity with the provisions of this Resolution.

Section 3. Enforcement. Upon receipt of information by the Zoning Administrator that any of the provisions of this Resolution are being violated, the Zoning Administrator shall notify in writing the persons responsible for such violation indicating the provisions or regulations being violated, and shall specify the necessary steps to abate such violations. The Board of County Commissioners shall have the power to order the discontinuance of the use of any land, water, or building, the removal of any building, addition, or other structure, the discontinuance of any work being done, or any other act in violation of this Resolution.

Section 4. Remedies. In addition to other remedies, the Board of County Commissioners may institute any appropriate action or procedure to bring about compliance with any of the provisions of this Resolution.

Section 5. Building Permits. Following the adoption and effective date of this Resolution, no building shall be constructed, reconstructed, altered or extended, unless a Building Permit has been issued indicating that such use is in compliance with the provisions and regulations of this Resolution. No Building Permit issued hereunder shall be valid until such time as it has been submitted to and approved by the Alachua County Health Department. The Zoning Commission may require that any application for a Building Permit made in conformance with this Resolution be accompanied by plans drawn to scale, showing the actual dimensions, radii and angles of the lot to be built upon, the exact size and location on the lot of the building and accessory buildings to be erected and such other information as may be necessary to determine and provide for the enforcement of this Resolution. No permit shall be required for interior alterations in connection with industrial operations where such alterations are routine in nature.

Section 6. Special Permits. Special permits shall be required for the following uses: mines, borrow pits, land fills, mobile home sales conducted outside of an approved Mobile Home Park, and any other special or unusual uses of a temporary or permanent nature not otherwise specifically referred to or provided for in these Regulations. Application for special permits shall be made to the Zoning Commission which shall hold a public hearing after giving fifteen (15) days notice of the time and place of such hearing. After the public hearing, the Zoning Commission shall forward its recommendation to the Board of County Commissioners for their action. The Zoning Commission may recommend and the Board of County Commissioners may require such provisions and conditions for each Special Permit as may be deemed in the public interest.

Section 7. Interpretation of Uses Permitted. In the administration and enforcement of these Regulations, all uses not expressly permitted are hereby prohibited.

Section 8. Violations and Penalties. Any person who violates any of the provisions of this Resolution shall be deemed guilty of a misdemeanor and shall be subject to fine and imprisonment as provided by law.

Section 9. Permitted Time Limits. Where the Zoning Commission, Board of Adjustment, or Board of County Commissioners, have given or granted an approval of a Building Permit, or Special Permit, pursuant to the provisions of this Resolution, such approval, grant, or permit pursuant thereto shall become null and void unless work thereon is substantially underway within sixty (60) days after the effective date of the issuance of such Building Permit or Special Permit.

Section 10. Appeals. Any person aggrieved by an administrative decision of the Secretary of the Zoning Commission or the Zoning Administrator may have the matter reviewed by the Zoning Commission at any regular or special meeting, whose recommendation shall be made to the Board of County Commissioners and the action of the Board of County Commissioners shall be final.

Section 11. Amendments. The Board of County Commissioners may, from time to time, with or without recommendation of the Zoning Commission, and after a public hearing as required by law, amend, supplement, change or repeal any regulation, restriction, zone or district herein or subsequently established, except as provided by State Law. An amendment to these Regulations or a change in the zoning classification of any parcel of land may be initiated by the preparation and submission of a rezoning request to the Board of County Commissioners by the property owner or his duly authorized agent. All proposals for re-classification of zone or change of regulations or restrictions shall be submitted to the Zoning Commission for consideration and their recommendations considered before a final hearing is held thereon. Any request for the rezoning of designated parcel or parcels of land which is denied by the Board of County Commissioners in their final action on such request, shall not be resubmitted until at least one (1) year after the date of final action on the initial request by the Board of County Commissioners.

ARTICLE XIV

LEGAL STATUS PROVISIONS

Section 1. Savings Clause. Should any Article, Section, subsection, provision, or clause of this Resolution be declared by any court of competent jurisdiction to be unconstitutional or invalid for any reason whatsoever, the same shall not affect the validity of the Resolution as a whole or any part thereof other than the part judicially determined to be invalid.

Section 2. Interpretation. The Regulations set forth in this Resolution shall be considered to be minimum requirements, for the purpose of promoting the general public health, safety, and welfare of the people of Alachua County, Florida.

Section 3. Conflict With Other Legal Documents. Where other laws, resolutions, or private restrictive covenants in recorded deeds or any other legally binding agreements impose greater restrictions and limitations than those provided herein, these Regulations shall not nullify or otherwise affect such other laws, resolutions, or private restrictive covenants in recorded deeds or any other legally binding agreements. The government of Alachua County shall not be responsible for enforcing any laws, resolutions, or private restrictive covenants except such other laws and resolutions as may be solely the responsibility of Alachua County for enforcement.

Section 4. Repeal. All resolutions or amendments thereto in conflict with these Zoning Regulations are hereby repealed to the extent of such conflict.

Section 5. Effective Date. This Resolution shall take effect when adopted by the Board of County Commissioners as provided by law.

ALACHUA COUNTY

ZONING LAW

ALACHUA COUNTY ZONING LAW

Chapter 24371, Special Acts of 1947, as amended by Chapter 28872, Special Acts of 1953

AN ACT to empower the Board of County Commissioners of Alachua County to Regulate and Restrict Within Territory of Said County Not Included in any Municipality, the Height, Number of Stories and Size of Buildings and Other Structures on Land and Water, the Percentage of Lot That May be Occupied, the Size of Yards, Courts and Other Open Spaces, the Density of Population, the Use of Land for Junk Yard and Automobile Trailer Camps, Location and Use of Building Structures and Land for Trade, Industry, Residence or Other Specific Use of the Premises, and to Establish Setback Building Lines; Providing for the Division of Such County into District and Within Such Districts to Regulate and Restrict the Erection and Construction, Alteration, Repair or Use of Buildings; Providing for a Method of Procedure; Providing for the Appointment of a Zoning Commission and a Board of Adjustment; Providing for Remedies and Penalties for the Violation of this Act or of any Order or Resolution Made Under Authority Conferred Hereby and Conferring Upon the Board of County Commissioners of Alachua County the Power to Prescribe and Enforce Regulations to Effectuate the Purposes of this Act.

Be it enacted by the Legislature of the State of Florida:

Section 1. GRANT OF POWER. For the purpose of promoting health, safety, morals, or the general welfare of the community, the Board of County Commissioners of Alachua County is hereby empowered within territory in such county not included in any municipality, to regulate and restrict the height, number of stories and size of buildings and other structures on land and water, the percentage of lot or lots that may be occupied, the size of yards, courts, and other open spaces, the density of population, the use of land for junk yards and automobile trailer camps, and the location and use of buildings, structures and land for trade, industry, residence, recreation or other purposes, and to establish setback building lines, regulate and restrict the erection, construction, re-construction, alteration, repair or use of buildings, structures or land on all lands abutting highways and thoroughfares within Alachua County.

Section 2. DISTRICTS. For any and all said purposes the Board of County Commissioners of Alachua County may divide the territory in such county, not included in any municipality, into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this Act and within any such district or districts it may regulate and restrict the erection, construction, re-construction, alteration, repair or use of buildings and structures on land and water. All such regulations shall be uniform for each class or kind of building throughout each district but the regulations in one district may differ from those in other districts.

Section 3. **PURPOSES IN VIEW.** Such regulations shall be made in accordance with a Comprehensive Plan and designed to lessen congestion in the highways; to secure safety from fire, panic, and other dangers; to promote health and general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. Such regulation shall be made with a reasonable consideration, among other things, to the character of the district and its peculiar suitability for its particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land and water throughout the said county.

Section 4. **METHOD OF PROCEDURE.** The Board of County Commissioners of Alachua County shall provide for the manner in which such regulations and restrictions and the boundaries of such districts shall be determined, established and enforced, and from time to time amended, supplemented, or changed. However, no such regulation, restriction or boundary shall become effective until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days notice of the time and place of such hearing shall be published in a paper of general circulation in Alachua County.

Section 5. **CHANGES.** Such regulations, restrictions and boundaries may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a protest against any such proposed change, signed by the owners of forty (40) percent or more either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending two hundred ten (210) feet therefrom, or of those directly opposite thereto, extending two hundred ten (210) feet from the street frontage of such opposite lots, such amendments shall not become effective except by the favorable vote of three fifths (3/5) or a majority of all the members of the Board of County Commissioners of Alachua County present at such meeting. The provisions of Section 4 hereof relative to public hearings and official notices shall apply equally to all changes or amendments.

Section 6. **ZONING COMMISSION.** In order to avail itself of the powers conferred by this Act, the Board of County Commissioners of Alachua County shall appoint a commission to be composed of five (5) members to be known as the Zoning Commission, to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein. The Zoning Commission shall make a preliminary report and hold public hearings thereon before submitting its final report and the Board of County Commissioners of Alachua County shall not hold its public hearings or take action until it has received the final report of the Zoning Commission. The members of the Zoning Commission shall serve without compensation. No Zoning Commissioner shall hold a position on any other Zoning Board or Zoning Commission of any municipality.

No Building Permit shall be issued which shall authorize any violation of the regulations of the Zoning Commission or authorize the construction, revision or repair of any structure which would not conform with the officially adopted county zoning plan or regulations thereto pertaining as adopted by resolution of the Board of County Commissioners of Alachua County, Florida.

Section 7. BOARD OF ADJUSTMENT. The Board of County Commissioners of Alachua County may provide for the appointment of a Board of Adjustment and in the regulations and restrictions adopted pursuant to the authority of this Act may provide that the Board of Adjustment may, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of any order or resolution in harmony with the general purpose and intent and in accordance with the general or specific rules therein contained. The members of such Board of Adjustment shall serve without compensation.

Such Board of Adjustment shall consist of five (5) members each to be appointed by the Board of County Commissioners of Alachua County for a term of five (5) years except the first members who shall serve one, two, three, four and five years respectively. The members of the Board of Adjustment shall be removable for cause by the Board of County Commissioners of Alachua County upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. The Zoning Commission may be designated by the Board of County Commissioners of Alachua County to serve as the Board of Adjustment.

The Board of Adjustment shall adopt rules in accordance with the provisions of any order or resolution adopted pursuant to this Act. Meetings of the Board of Adjustment shall be held at the call of the Chairman and at such other times as the Board of Adjustment may determine. The Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board of Adjustment shall be open to the public. The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board of County Commissioners of Alachua County and shall be a public record.

The Board of Adjustment shall have the following powers:

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this Act or by any order or resolution adopted pursuant thereto.

(2) To hear and decide such exceptions to the terms of the order or resolution which such Board of Adjustment is required to pass under such order or resolution.

(3) To authorize upon appeal in specific cases such variance from the terms of order or resolution as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the order or resolution will result in unnecessary hardship, and so that the spirit of the order or resolution shall be observed and substantial justice done.

In exercising the above mentioned powers, the Board of Adjustment may, in conformity with the provisions of this Act, reverse or affirm, wholly or partly, or may modify the order, resolution, requirement, decision or determination as ought to be made and to that end shall have the powers of the officer or the Board from whom the appeal is taken.

The concurring vote of three (3) members of the Board of Adjustment shall be necessary to reverse any order, requirement, decision or determination of any administrative official or board to decide in favor of the applicant on any matter upon which it is required to pass under such order or resolution, or to effect any variation in such order or resolution.

Any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment, or any taxpayer or any officer, department, board or bureau of Alachua County, may, within thirty (30) days after the filing of any decision, in the office of the Board of Adjustment, but not thereafter, apply to the courts for relief.

Section 8. FEES. The Board of County Commissioners of Alachua County is hereby authorized to fix by resolution the fees to be charged for issuing building and other permits required under the zoning regulations adopted pursuant to this Act.

Section 9. ADMINISTRATION. The Board of County Commissioners of Alachua County is hereby authorized and empowered to designate such employee or employees of said Board as such Board may determine to enforce the provisions of this Act and any order or resolution made under the authority hereof.

Section 10. REMEDIES. In case any building or structure is erected, constructed, re-constructed, altered, repaired, converted or maintained, or any building, structure, land or water is used in violation of this Act or of any order or resolution or other regulation made under the authority conferred hereby, the proper local authorities of Alachua County, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, re-construction, alteration, repair, conversion, maintenance or use to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land or water to prevent any illegal act, conduct, business or use in or about such premises.

Section 11. SAVINGS CLAUSE. If any section, part of section, paragraph or clause of this Act shall be held to be unconstitutional or void, the remaining provisions of this Act shall nevertheless remain in full force and effect.

Section 12. The Board of County Commissioners of Alachua County is hereby authorized to appropriate and pay out of the General Fund of such county annually a sum not to exceed Ten Thousand (\$10,000) Dollars for the purpose of defraying the expense of zoning Alachua County or any part thereof not included within any municipality, and for administering the provisions of this Act.

Section 13. PENALTIES. Any person, firm, partnership or corporation violating any of the provisions of this Act or who shall fail to abide by and obey all orders and resolutions promulgated as herein provided for shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by fine not exceeding one hundred (\$100) dollars.

Section 14. This Act shall take effect immediately upon its passage and approval by the Governor or upon its becoming a law without such approval.

ALACHUA COUNTY

PLAT LAW

ALACHUA COUNTY PLAT LAW

(As adopted and amended by the 1959, 1961, 1967, and 1969 Legislatures)

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The word "plat" when used as a noun in the context hereof, shall be deemed to mean a map depicting the devision or subdivision of lands into lots, blocks, parcels, tracts or other portions thereof, however the same may be designated.

Section 2. As used in this chapter, subdivide means to divide land by conveyance or improvement into lots, blocks, parcels, tracts, or other portions.

Section 3. Whenever any land in Alachua County is subdivided in lots, blocks, parcels, tracts or other portions, so as to comprise three (3) or more portions of five (5) acres or less in size, exclusive of easements for roads or streets, a building permit for the construction of a residence upon such lots, blocks, parcels, tracts or other portions, shall not be issued until a plat of such portions is recorded in the public records of Alachua County.

Section 4. Whenever any land in Alachua County, comprising five (5) acres or more is subdivided into lots, blocks, parcels, tracts or other portions of which any one comprises five (5) acres or less in size, exclusive of easements for roads and streets, and such subdivisions provide for the establishment or extension of streets, alleys, or some other means of ingress and egress, a building permit for the construction of a residence upon such lots, blocks, parcels, tracts or other portions, shall not be issued until a plat is recorded in the public records of Alachua County.

Section 5. Whenever the plat of any land has been recorded in the public records of Alachua County, and is re-subdivided into lots, blocks, parcels, tracts or other portions, so any of the same shall comprise five (5) acres or less in size, exclusive of easements for roads and streets, a building permit for the construction of a residence upon such lots, blocks, parcels, tracts or other portions shall not be issued until a plat thereof shall be recorded in the public records of Alachua County.

Section 6. The Board of County Commissioners of Alachua County, as a prerequisite to its approval of plats, is hereby authorized and empowered to prescribe the width of roads, streets, alleys, and other thoroughfares, and setbacks therefrom; adequate provisions for drainage of such subdivisions or lands; the coinciding with drains, streets, alleys and drainage facilities existing in adjacent subdivisions or as may be required by the county as shall be determined from time to time by the Board of County Commissioners; prescribe the width and depth of lots or other units, all as a prerequisite to the approval of any such plat on any and all plats of land lying outside any municipality in Alachua County.

Section 7. The Board of County Commissioners of Alachua County is hereby authorized and empowered to name or number any and all roads, streets, alleys and other thoroughfares other than state roads lying outside any municipality in Alachua County and to change the names and numbers thereof.

Section 8. The governing body of each municipality in Alachua County shall have full and complete authority to regulate and prescribe the width and depth of lots or other units; the width of streets, alleys, roads or other thoroughfares, adequate provisions for the drainage of such subdivisions or lands; the coinciding with drains, streets, alleys and drainage facilities existing in adjacent subdivisions or required by the county plan for the same, as shall be determined from time to time by the Board of County Commissioners, the setbacks required from any public ways, all as prerequisite to the approval of any such plat on any and all plats of land lying within the limits of any municipality in Alachua County.

Section 9. No plat of land lying outside the limits of any incorporated municipality in Alachua County shall be recorded either as an independent instrument or by attachment to another instrument entitled to record unless and until it shall first be approved by the Board of County Commissioners of Alachua County, and if such lands lie within any incorporated municipality, by the governing body of such municipality. Such approval shall not be construed to require the Board of County Commissioners nor the governing body of the city or town to construct or maintain the roads, streets, alleys or other rights-of-way which may be shown on the plat.

Section 10. No plat shall be recorded hereafter unless it shall show the following

(1) The approval of the Board of County Commissioners of Alachua County, or, if the lands lie within the limits of any incorporated city or town, the approval of the governing body of the city or town.

(2) The approval of the proper zoning authorities, if zoning ordinances or regulations affecting the use of the land involved are then in effect.

(3) The widths of all roads, streets, alleys and other rights-of-way, however designated, shown thereon.

(4) Such other requirements as may be provided by law.

Section 11. No plat of lands outside of the limits of any incorporated city or town shall be recorded hereafter unless it shall show:

(1) Extension, continuations and dedications along the same courses, of existing streets, alleys and other rights-of-way, however designated, which when projected would cross the platted lands, when required by the Board of County Commissioners.

(2) A dedication to the public by the owners of lands involved, of all roads, streets, alleys and other rights-of-way, however designated, shown on the plat, for perpetual use of public road and street purposes and other purposes incidental thereto. The effect of the dedication shall be to vest in the public body having control and jurisdiction of the roads, streets, alleys and other rights-of-way, and its successors, full, complete and exclusive possession and control of the same and of all installations therein for the full width thereof as shown on the plat. It is specifically provided, however, that such owner or owners may, as an appurtenance to the lands and not for themselves individually, reserve the reversion or reversions thereof when the roads, streets, alleys, and other rights-of-way shall be discontinued by law.

Section 12. No plat of lands subject to periodic or frequent flooding lying outside of the limits of an incorporated city or town shall be approved except in those cases where such protective restrictions as may be required by the Board of County Commissioners are provided and are referred to on the plat.

Section 13. No plat of lands outside of the limits of an incorporated city or town shall be approved unless (1) the person, firm or corporation seeking the approval of the plat shall submit to the Board of County Commissioners in such form as the Board of County Commissioners shall require the proposed finish grades of all roads, street, alleys and other rights-of-way, however designated, and the proposed elevations of the several portions of the lands depicted on the plat and the proposed facilities for street and land drainage and furnish to the Board of County Commissioners a good and sufficient bond conditioned upon the completion of the drainage facilities and the grading and filling of the lands and all roads, streets, alleys and other rights-of-way shown on the plat, however designated, to the elevations and finish grades as proposed, within such time or times as may be required by the Board of County Commissioners and the erection of permanent markers identifying the roads, streets, and alleys by name and block number at such places and in such manner as the Board of County Commissioners shall prescribe, and (2) the Board of County Commissioners shall approve the proposed grades and elevations, drainage facilities and bond. The Board of County Commissioners may waive any part or all of the section by express provision in the resolution approving the plat.

Section 14. Before any plat shall be recorded, all payable taxes on the land shall be paid, all tax sales against the land shall be redeemed and sufficient assurance shall be made to the Board of County Commissioners that the taxes against the land for the current year will be made.

Section 15. Nothing herein contained shall be deemed to prevent a replatting of platted lands and the recording of a plat thereof, if the same be accomplished in accordance with this law.

Section 16. The Board of County Commissioners and the governing body of each incorporated city and town are authorized and empowered to adopt rules and regulations to fully effectuate the provisions and purposes of this act.

Section 17. Nothing herein contained shall be construed to limit or curtail the powers conferred upon the governing body of any incorporated city or town or, upon any duly constituted zoning authority.

Section 18. If any portion of this act shall be declared unconstitutional, or if the applicability of this act or any portion thereof to any person or circumstances shall be held invalid, the validity of the remainder of this Act and the applicability of this Act or of such portion thereof to other persons and circumstances shall not be affected thereby.

Section 19. All laws and parts of laws in conflict herewith are hereby repealed.

Section 20. This Act shall take effect on June 1, 1960.